

what inspiration did we proceed into so many overseas military obligations.

Perhaps some of these military missions and obligations are vital to our interests. But we must find some way to clarify and state and classify those interests among urgent domestic priorities so that America's mothers and fathers will not have to come again in five or fifteen years to rally on the streets to bring home five hundred thousand sons from a war we never wanted and cannot understand.

Many of us here tonight can look back to 1965 and the first anti-war protests. There are many memories, and a few legends about these past five years.

But there is no false satisfaction in having been aware before others that Vietnam was wrong. There is no joy in having been right when others were still groping for the answers. And tonight there should be no sense of triumph in seeing that a majority of Americans now think that Vietnam was wrong and that we should leave.

Rather, we shall triumph only when policy is changed. We shall persevere until the last ship brings the last American boy back from Vietnam. We shall work and march and pray until we have set America right again.

And we must remind those who criticize this moratorium that we have a President, not an emperor. We have a country where we can have free discussion and dialogue.

The hour is now late. The President and the Congress hear but do not yet understand fully. Let us send still more messages. Let us start once more.

#### QUESTIONS RAISED BY THE MORATORIUM

**HON. JAMES W. SYMINGTON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. SYMINGTON. Mr. Speaker, I would like to express my concern for the questions raised by the moratorium by offering these thoughts on the debate itself, the spirit in which we engage in it, and the ends we seek. First, as to the propriety of debating the war, I can think of no more appropriate question to discuss, given our obligations under article 1, section 8 of the Constitution. True, at the outset of this administration we were counseled to lower our voices. More recently it has been suggested that it would be better if we said nothing at all. Congress has often been accused of doing exactly that. But "when the blast of war rings in our ears," we have not only the right but a duty to find our voice. And a

Congress which has expressed a desire for greater participation in the formulation of foreign policy can hardly be reluctant to discuss it. I am glad this point was quickly and properly resolved.

Second, in what spirit do we discuss this war? Not of anger and frustration, I submit, although angry and frustrated we are; certainly not of rancor or ill will toward fellow Americans in or out of policymaking positions; and not even of implacable hatred of the foe, but calmly, thoughtfully, and constructively. It is our part to voice the Nation's reason, not simply echo its agony. Reasonable we must be, although it would, I think, sharpen our perspective if we thought of ourselves as the parents of draft-age boys.

Finally, we must try to arrive at an agreed definition of what it is we seek to achieve in Vietnam, and to which any further efforts and sacrifices should be directed. "Victory," in its ordinary sense, has been abandoned by most Americans including the President, as the definition of the goal to be achieved; it has been abandoned in favor of "peace." We must admit "peace" is susceptible of as many interpretations as "victory." So we have a duty to be candid with each other about what is meant by "peace" in Vietnam.

To most, it means termination of U.S. military involvement there, and the withdrawal of American troops. Whether this would produce peace in Vietnam, is a matter of conjecture but not of primary concern to those who consider our involvement prohibitively costly in American lives, treasure, reputation, and self-respect; those who cannot view its termination as anything but preferable to its continuance for one more day. The argument is compelling. What has been won in the past 7 years? What remains to be won? It is certainly difficult to estimate how much national security or world stability have been purchased to date. It would have to be great indeed in order to justify the direct sacrifice of blood and treasure, and the indirect sacrifice of housing, education, pollution control, and economic strength to say nothing of racial and campus harmony, or the sense of gladly shared purpose which ought to animate a great nation in conflict. I incline to the view that to date more has been lost than won. Hindsight suggests the investment was ill advised. History does not reveal its alternatives. It may well be that without U.S. inter-

vention, a Titoist regime governing all of Vietnam under Hanoi, would have emerged as a bulwark of nonaggressive neutrality between China and the rest of Indochina. Perhaps no bulwark was required, or if required, not ours to build. If all this was predictable we must acknowledge fallibility in making or heeding predictions. In any event, in our own interest as our leaders saw it, we intervened. We manipulated South Vietnamese leadership and ravaged the land. We bear a great responsibility for the war, certainly. Do we bear an equally great responsibility for the "peace" we leave behind?

If so, how to discharge that responsibility is the question before the Nation, the President, and this House. It is not an easy question as the debate last night revealed. It turns the most eager exponents of simple withdrawal into cautious military strategists. Why? Because of the demands it makes on conscience and honor. Yes, our prisoners must be returned. No, Vietnamese hostages must not be abandoned. Yes, the enslave theory, and its assumption of continued American presence has validity. Yes, Vietnamization of the war is essential, and should include pressure on the regime to pass power to a more representative body. No, in short, the men cannot come home at once. Thus, the debate quickly narrowed the gap between supporters and opponents of current policy. No support at all was offered the 30-day-wonder theory of withdrawal. Had the debate been allowed to continue we might have been able to illuminate other possible approaches, from Senator AIKEN's novel suggestion to its opposite, accelerated withdrawal coupled with the threat of selective air attacks in the north, if necessary, to insure Hanoi's cooperation both with our removal, and the eventual establishment of an indigenous, representative government in South Vietnam.

In my view the careful implementation of a deliberate and declared policy of disengagement should be encouraged, or if you will demanded, but only to the end of achieving exactly that. If more is demanded, by putting our collective shoulder to the wheels of wishful thinking, something else could be sacrificed to this tragic conflict: rational government. In due course a question of honor can become a question of order.

### SENATE—Thursday, October 16, 1969

The Senate met at 12 o'clock noon and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal God, send peace on earth, and by Thy grace put down the pride, greed, and anger that turn man against man, and nation against nation. Speed the day when wars are ended and all men call Thee Father.

O Lord, remove from us and from all men both hate and prejudice, that Thy children may be reconciled with those

whom they fear, resent, or threaten, and thereafter live in peace.

As we consecrate ourselves to Thee, make us to know that our work is Thy work. Strengthen the faculties of our minds and dispose our efforts for the welfare of all the people and the furtherance of Thy kingdom.

In Thy holy name we pray. Amen.

#### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of

Wednesday, October 15, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 452 and the succeeding measures in sequence.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### CONSTITUTIONAL AMENDMENTS

The resolution (S. Res. 261) to print a list of proposed amendments to the Constitution as a Senate document was considered and agreed to, as follows:

S. Res. 261

*Resolved*, That there be printed as a Senate document a list of proposed amendments to the Constitution of the United States of America submitted during the Eighty-eighth Congress, first session, through the Ninetieth Congress, second session, as compiled by the Senate Library, under the direction of the Secretary of the Senate, and that one thousand five hundred additional copies be printed for the use of the Secretary of the Senate.

### SELECT COMMITTEE ON SMALL BUSINESS

The resolution (S. Res. 266) authorizing expenditures by the Select Committee on Small Business was considered and agreed to, as follows:

S. Res. 266

*Resolved*, That the Select Committee on Small Business is hereby authorized to expend, from the contingent fund of the Senate, \$10,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 57, Ninety-first Congress, agreed to February 17, 1969.

### THE COST OF CLEAN AIR

The resolution (S. Res. 267) to print "The Cost of Clean Air" as a Senate document was considered and agreed to, as follows:

S. Res. 267

*Resolved*, That there be printed as a Senate document the first report of the Secretary of Health, Education, and Welfare, entitled "The Cost of Clean Air", submitted to the Congress in accordance with section 305(a), Public Law 90-148, the Air Quality Act of 1967, and that there be printed three thousand additional copies of such document for the use of the Committee on Public Works.

### AUTHORIZING THE PRINTING AS A HOUSE DOCUMENT OF HOUSE HEARINGS ON SCIENCE AND STRATEGIES FOR NATIONAL SECURITY IN THE 1970'S

The concurrent resolution (H. Con. Res. 338) authorizing the printing as a House document of hearings on Science

and Strategies for National Security in the 1970's by the Subcommittee on National Security Policy and Scientific Developments, and of additional copies thereof was considered and agreed to.

### SPECIAL COMMITTEE ON AGING

The Senate proceeded to consider the resolution (S. Res. 251) authorizing additional expenditures by the Special Committee on Aging, which had been reported from the Committee on Rules and Administration with an amendment, strike out all after the resolving clause and insert:

That the Special Committee on Aging is authorized to expend from the contingent fund of the Senate \$30,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 76, Ninety-first Congress, agreed to February 17, 1969, authorizing a study of matters pertaining to problems and opportunities of older people.

The amendment was agreed to.

The resolution, as amended, was agreed to.

### PROVIDING FOR THE PRINTING OF COPIES OF THE EULOGIES OF DWIGHT DAVID EISENHOWER

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 368) providing for the printing of copies of the eulogies on Dwight David Eisenhower which had been reported from the Committee on Rules and Administration with an amendment on page 2, line 4, after the word "thousand", strike out "and thirty" and insert "three hundred".

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

### COMMITTEE ON LABOR AND PUBLIC WELFARE

The Senate proceeded to consider the resolution (S. Res. 227) to authorize the expenditure of funds by the Committee on Labor and Public Welfare generally and for its investigation of the problems of education of American Indians which had been reported from the Committee on Rules and Administration with an amendment, on page 2, line 1, after "Sec. 2." strike out "Section 4 of Senate Resolution 80, agreed to February 17, 1969, is hereby amended by striking out '\$72,000' where it appears therein and inserting in lieu thereof '\$93,000'." and, in lieu thereof, insert "The Committee on Labor and Public Welfare is authorized to expend from the contingent fund of the Senate \$8,600, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 80, Ninety-first Congress, agreed to February 17, 1969 (as extended by Senate Resolution 226, agreed to July 29, 1969), authorizing a study of the education of American Indians."

So as to make the resolution read:

*Resolved*, That the Committee on Labor and Public Welfare hereby is authorized to expend from the contingent fund of the Senate, during the Ninetieth Congress, \$1,500 in addition to the amounts, and for the same purposes, specified in section 134(a) of

the Legislative Reorganization Act, approved August 2, 1946, Senate Resolution 141, agreed to July 17, 1967, and Senate Resolution 276, agreed to May 9, 1968.

Sec. 2. The Committee on Labor and Public Welfare is authorized to expend from the contingent fund of the Senate \$8,600, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 80, Ninety-first Congress, agreed to February 17, 1969 (as extended by Senate Resolution 226, agreed to July 29, 1969), authorizing a study of the education of American Indians.

The amendment was agreed to.

The resolution, as amended, was agreed to.

### INVESTIGATION OF ANTITRUST AND MONOPOLY LAWS

The Senate proceeded to consider the resolution (S. Res. 230) to investigate antitrust and monopoly laws of the United States, which had been reported from the Committee on Rules and Administration with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate \$28,800, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 40, Ninety-first Congress, agreed to February 18, 1969, authorizing an investigation of antitrust and monopoly laws and their administration.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for an investigation of antitrust and monopoly laws".

### STUDY OF CONSTITUTIONAL AMENDMENTS

The Senate proceeded to consider the resolution (S. Res. 231) authorizing a study of matters pertaining to constitutional amendments, which had been reported from the Committee on Rules and Administration with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate \$4,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 42, Ninety-first Congress, agreed to February 17, 1969, authorizing a complete study of any and all matters pertaining to constitutional amendments.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for a study of matters pertaining to constitutional amendments".

### INVESTIGATION OF CON- STITUTIONAL RIGHTS

The Senate proceeded to consider the resolution (S. Res. 232) to investigate matters pertaining to constitutional



rights which had been reported from the Committee on Rules and Administration with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate \$15,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 43, Ninety-first Congress, agreed to February 17, 1969, authorizing a complete study of any and all matters pertaining to constitutional rights.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for a study of matters pertaining to constitutional rights".

#### INVESTIGATION OF CRIMINAL LAWS AND PROCEDURES

The Senate proceeded to consider the resolution (S. Res. 233) to investigate criminal laws and procedures, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate \$25,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 44, Ninety-first Congress, agreed to February 17, 1969, authorizing an investigation of criminal laws and procedures.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for an investigation of criminal laws and procedures".

#### INVESTIGATION OF THE ADMINISTRATION, OPERATION AND ENFORCEMENT OF THE INTERNAL SECURITY ACT

The Senate proceeded to consider the resolution (S. Res. 234) to investigate the administration, operation, and enforcement of the Internal Security Act, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate \$65,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 46, Ninety-first Congress, agreed to February 17, 1969, authorizing an investigation of the administration, operation, and enforcement of the Internal Security Act.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for an investigation of the administration, operation, and enforcement of the Internal Security Act."

#### STUDY OF FEDERAL JUDICIAL SYSTEM

The Senate proceeded to consider the resolution (S. Res. 235) to study and examine the Federal judicial system, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate \$9,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 47, Ninety-first Congress, agreed to February 17, 1969, authorizing a study and examination of the Federal judicial system.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for a study and examination for the Federal judicial system".

#### INVESTIGATION OF JUVENILE DELINQUENCY

The Senate proceeded to consider the resolution (S. Res. 236) to investigate juvenile delinquency, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate \$25,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 48, Ninety-first Congress, agreed to February 17, 1969, authorizing an investigation of juvenile delinquency in the United States.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for an investigation of juvenile delinquency in the United States".

#### STUDY OF REVISION AND CODIFICATION OF THE STATUTES OF THE UNITED STATES

The Senate proceeded to consider the resolution (S. Res. 237) to study revision and codification of the statutes of the United States, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate \$4,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 51, Ninety-first Congress, agreed to February 17, 1969, authorizing a study of matters pertaining to revision and codification of the statutes of the United States.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Ju-

diciary for a study of matters pertaining to revision and codification of the statutes of the United States".

#### STUDY OF SEPARATION OF POWERS UNDER THE CONSTITUTION

The Senate proceeded to consider the resolution (S. Res. 238) to make a full and complete study of the separation of powers under the Constitution, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate \$10,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 52, Ninety-first Congress, agreed to February 17, 1969, authorizing a study of the separation of powers between the executive, judicial, and legislative branches of Government.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for a study of constitutional separation of powers".

#### INVESTIGATION OF PROBLEMS CREATED BY THE FLOW OF REFUGEES AND ESCAPEES FROM COMMUNISTIC TYRANNY

The Senate proceeded to consider the resolution (S. Res. 242) to investigate problems created by the flow of refugees and escapees from communistic tyranny, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate \$9,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 50, Ninety-first Congress, agreed to February 17, 1969, authorizing a study of matters pertaining to the problems created by the flow of refugees and escapees.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for a study of matters pertaining to the problems created by the flow of refugees and escapees."

#### ENACTMENT OF A LAW

The Senate proceeded to consider the resolution (S. Res. 262) providing for additional copies to be printed of Senate Document 39, which had been reported from the Committee on Rules and Administration, with an amendment, in line 2, after the word "of," strike out "S. Doc. 39," and insert "Senate Document 35,"; so as to make the resolution read:

S. RES. 262

*Resolved*, That there be printed for the use of the Senate, twenty thousand six hundred additional copies of Senate Document

35, Ninetieth Congress, first session, entitled "Enactment of a Law."

The amendment was agreed to.  
The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing the printing of additional copies of Senate Document 35, Ninetieth Congress, entitled 'Enactment of a Law'."

#### EXECUTIVE REORGANIZATION SUBCOMMITTEE, COMMITTEE ON GOVERNMENT OPERATIONS

The Senate proceeded to consider the resolution (S. Res. 263) authorizing additional appropriation for the Executive Reorganization Subcommittee, Committee on Government Operations, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on Government Operations is authorized to expend from the contingent fund of the Senate \$12,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 25, Ninety-first Congress, agreed to February 17, 1969, authorizing a study of the effects of laws pertaining to proposed reorganizations in the executive branch of the Government.

The amendment was agreed to.  
The resolution, as amended, was agreed to.

The title was amended, so as to read: "Resolution authorizing additional expenditures by the Committee on Government Operations for a study of the effects of laws pertaining to proposed reorganizations in the executive branch of the Government."

#### STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES

The Senate proceeded to consider the resolution (S. Res. 264) authorizing a study of intergovernmental relationships between the United States and the States and municipalities, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on Government Operations is authorized to expend from the contingent fund of the Senate \$10,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 27, Ninety-first Congress, agreed to February 17, 1969, authorizing a study of intergovernmental relationships between the United States and the States and municipalities.

The amendment was agreed to.  
The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on Government Operations for a study of intergovernmental relationships between the United States and the States and municipalities."

#### COMMITTEE ON THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the resolution (S. Res. 265) for additional funds for the Committee on the District of Columbia, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the District of Columbia is authorized to expend from the contingent fund of the Senate \$2,400, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 84, Ninety-first Congress, agreed to February 17, 1969, authorizing a study of matters pertaining to the District of Columbia.

The amendment was agreed to.  
The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the District of Columbia for a study of matters pertaining to the District of Columbia."

#### THE 70TH ANNUAL REPORT OF THE DAR

The resolution (S. Res. 273) to authorize the printing of the 70th Annual Report of the National Society of the Daughters of the American Revolution as a Senate document was considered and agreed to, as follows:

S. RES. 273

*Resolved*, That the Seventieth Annual Report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1967, be printed, with an illustration, as a Senate document.

#### BILL PASSED OVER

The bill (S. 2264) to amend the Public Health Service Act to provide authorization for grants for communicable disease control was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.  
The PRESIDENT pro tempore. The bill will be passed over.

#### COMMITTEE ON FINANCE

The resolution (S. Res. 269) to authorize the Committee on Finance to expend \$10,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act of 1946 was considered and agreed to, as follows:

S. RES. 269

*Resolved*, That the Committee on Finance is hereby authorized to expend from the contingent fund of the Senate, during the Ninety-first Congress, \$10,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act approved August 2, 1946.

#### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for not to exceed 20 minutes.

The PRESIDENT pro tempore. The Senator from Montana asks unanimous consent that he may be permitted to proceed for not to exceed 20 minutes. Is there objection? The Chair hears none, and the Senator from Montana is recognized for 20 minutes or such part thereof as he desires to utilize.

#### THE LEGISLATIVE RECORD OF THE SENATE AND THE 91ST CONGRESS

Mr. MANSFIELD. Mr. President, every administration needs time to alter and to adjust the permanent machinery of the Government if it is to be given new direction. The legislative requirements for these changes are usually indicated in broadbrush fashion by a new President in an address on the state of the Union.

President Nixon did not choose to give such an address at the outset, preferring to take an item-by-item approach to a legislative program. That is his prerogative; the fact is not stated in criticism. Indeed, the President may have been well-advised to choose the piecemeal path since he entered office on the heels of a succession of Congresses of intense activity. In the prior 8 years, a multiplicity of significant new laws had been entered on the statute books. In the previous administration, there had been one of the most extensive legislative outpourings in the Nation's history.

In the circumstances, the President's first priority was hardly to push for more new laws. Rather, it was to sort out this legislation—to pick and to choose—and to try to get the permanent machinery of the executive branch to operate with responsiveness to it under his leadership. In the light of this situation, the statement on the legislative program which President Nixon issued last weekend was most welcome. It was a restrained and realistic recapitulation. Its temperate tone, moreover, seems to me to have foreclosed a tendency to politically colored commentary on the work of the Congress to date. The President's appeal for cooperation rather than conflict between a Republican-controlled administration and a Democratic-controlled Congress was well taken and appropriate to the circumstances.

I respect the President's viewpoint even though I do not concur completely in his recapitulation of the situation. So that the record may be in order, I want to go over the legislative situation as it is seen from the Senate at this time. In my report on October 3, I set forth the major bills and joint resolutions on which action has been completed or which are well along in the committee process.

One such bill concerns tax relief and tax reform. This measure is designed to shape a more equitable tax structure out of the present hodgepodge or inordinate privileges and excessive rates. It is to be hoped that out of this bill will come some relief for the lower- and middle-income groups of this country. For too long those whose incomes are derived almost wholly from salaries have carried a disproportionate share of the cost of Government.

In this connection, a far-reaching set of tax reforms passed the House of Representatives a few weeks ago. The Fi-



nance Committee is now hard at work on this bill, having before it an October 31 target date for reporting to the Senate. Let me say that the position which has been taken from the outset by the Democratic policy committee and the Senate leadership, together with members of the Finance Committee has been designed neither to shilly-shally, delay, or politicize on this measure. It has been adhered to wholly for the purpose of trying to bring through the recesses of congressional procedure and into the light of day, after years of talk, a bona fide tax relief and reform bill.

As every Member of the Senate knows, success is never assured in a legislative effort of this kind until a bill passes both Houses and becomes law. It does seem to me, however, that the energetic efforts of the Senate Finance Committee, coming on top of the work of the House now provides some basis for prudent hopes. In his weekend message, moreover, the President has placed the administration squarely behind the passage of a tax relief and tax reform bill before the adjournment of this session of the Congress. The Senate leadership is appreciative of this support and I know Americans will welcome it. It is most respectfully suggested that the appropriate department of the executive branch now make clear the urgency of this tax reform and tax relief measure along with its appeals to the Senate for extension of the surtax and for investment credit changes.

Mr. SCOTT. Mr. President (Mr. HUGHES in the chair) will the Senator yield?

Mr. MANSFIELD. I am happy to yield to the distinguished minority leader.

Mr. SCOTT. Mr. President, I had a meeting yesterday with the Secretary of the Treasury and the Assistant Secretary of the Treasury, and they strongly support the statement the Senator just made. They are extremely anxious that this bill be reported, that it be a wise and responsible bill, that it provide carefully for the review needed, that the loopholes be closed, and that it be a fair and just bill.

Having this recent information, I am happy to inform the Senator that what he recommends here is also the recommendation of the administration.

Mr. MANSFIELD. Mr. President, may I say that I am delighted by the remarks just made by the distinguished minority leader.

With respect to other specific items in the weekend message, the Congress will try to give full and deliberate consideration to each question which was raised by the President. In fact, action on many of these measures has commenced and some are well along in the legislative process.

Among the most pressing needs of the Nation, in my judgment, is a complete overhaul of the military draft. I am delighted that the President has given this matter a high priority. In the Senate, the need for changes in the draft has been a matter of concern during this session ever since last February. At that time, the Senator from Michigan (Mr. HART) introduced his proposal for reforms. In May, the Senator from Massachusetts

(Mr. KENNEDY) advanced a second proposal. The administration resubmitted, in mid-August, the draft changes which had been advanced last year by the previous administration.

On the basis of these various approaches, I am hopeful that a complete reform of our draft system will be forthcoming in this Congress. In any event, the President, as he noted in his statement, is in a position to initiate draft reforms by Executive action alone. Unless there is congressional action, which I advocate, he may have no choice other than to proceed with changes on his own.

The committees of Congress which are at work on tax relief and reform are also responsible for considering the broad welfare plan which the President submitted last week in legislative form. First things should come first, however, and it seems to me very necessary that the Finance Committee complete work on tax relief and tax reform before proceeding to a major overhaul of welfare legislation. That should also come and will come in due course. It should be noted, however, that the President's welfare proposal does not lend itself to a one-two-three disposition. The press reported that the issues involved are such that even within the administration there were deep divisions on the question. More than just cursory treatment by the Congress is clearly required and it will take time to complete that work.

The President's flexibility on the question of the electoral college system is welcomed. Notwithstanding his own preference, the President lost no time in endorsing the more direct approach to presidential elections which passed the House of Representatives by an overwhelming vote a few weeks ago. I am confident that the distinguished Senator from Indiana (Mr. BAYH) has every intention of moving the measure in his Senate subcommittee as rapidly as possible.

May I say that the leadership defers to the judgment of Senator BAYH as to how this matter should be handled. The Senate knows that the Senator from Indiana has a sober approach to constitutional reform. His work on the question of presidential succession a few years ago was outstanding in every respect. He can be counted on to deal with the electoral college question in the same way. The Senator from Indiana is attuned to deep national conviction that there is a need for change in the presidential electoral system and he possesses the legislative acumen to convert that conviction into effective congressional action.

As for the postal reform measure to which the President referred, I recall that one portion of this proposal has already passed the Senate. Hearings are underway on the remainder. I am hopeful that it will be disposed of completely during this Congress.

The Senate has already passed a strong mine safety proposal. The President's endorsement of the measure in his statement, hopefully, will expedite its passage in the House of Representatives.

The President alluded to the growing crime rate as one of the Nation's most pressing needs. On this point, he has the

complete agreement of the Congress and the Nation. There have already been some congressional initiatives to mobilize resources to curb crime. The attempts have been limited, to be sure, and still fall far short of need. Therefore, the President's effort to submit a program which would complement and supplement the Omnibus Crime Control Act of last year is to be commended.

In all frankness, however, I must state that, on the preventive-detention measure along with other crime control proposals now pending before the Congress, I am advised that there has not been a full response from the administration to committee requests for reports, studies and testimony. I understand that this has been the case on other legislative proposals as well. In fact, a survey of just three Senate committees with varied jurisdictions indicated that on 97 pending legislative questions, requests for the views and reports of the appropriate departments have gone without response from the executive branch. With respect to the crime measures themselves, the Congress has gone forward with hearings only to find, I understand, that the relevant Departments were not ready or able to take a position on the substance of the proposals.

While an executive agency viewpoint may not be essential on every legislative proposal, it seems to me imperative that the experience and skill of the executive agencies involved in law enforcement should be made available to the committees writing crime laws without delay and without stint. These contributions would appear to be an essential element of the background against which laws involving crimes and the courts should be designed.

I do not speak in criticism of the President. He has done all that he could personally, and as President. The insufficiency of cooperation from the departments of the executive branch is undoubtedly due in major part to the shifting of administrations. It does seem, however, that since the President has now laid stress on passage of certain items of legislation, the departments might offer more active help to the committees so that the hearings can be rescheduled and action can be taken without further delay.

It is to be hoped that the President's endorsement of the recent Senate intensification of the effort against hunger in the Nation will prompt favorable consideration of this matter. His approval of the Senate expansion of the food stamp program should help to allay any fears in the House that the Senate has moved too far and too swiftly in this area.

With respect to population growth, another point raised by the President, the Senate has already authorized a special commission to study the matter. Moreover, I am certain that any specific proposals enumerated hereafter by the President will be given expeditious consideration when they are received in legislative form in the Congress. On this matter, the President's message seemed restrained enough as, indeed, a proposal should be when the Government undertakes to enter into Kinsey's realms, with advice, supplies, and equipment, not only in this Nation but throughout the world.

I would expect that with the help of the tax-writing committees the Congress will be able to enact sufficient increases in payments to social security pensioners. What with the continuing inflation, the President correctly pointed to the urgency of the need among the elderly citizens of the Nation. A government which can find billions for anti-ballistic-missile systems—ABM's—of highly disputed value and tens of billions for the tragedy of Vietnam can do no less than meet the needs of its older citizens and meet them with sufficiency. Insofar as the Senate leadership is concerned, it will cooperate to the fullest with the President and the appropriate committees in order to bring about increases without delay.

With respect to reform of the District of Columbia government, the Senate has already completed action on the proposals which the President endorsed in his message. Action has also been completed on his proposals with regard to the Office of Economic Opportunity.

I reiterate, Mr. President, what I said at the beginning of my remarks. The message sent to the Congress by the President over the weekend was temperate in tone and reasonable in expectation. The record of the Senate speaks for itself; it is a modest but respectable record to date, for a session which still has many weeks to

run and for a Congress which has another session to run. Much remains to be completed; much will be completed before Christmas 1969, and still more before the end of 1970.

Insofar as President Nixon expressed a concern with particular items of legislation, his concern is noted. The Senate leadership will do for this President what it would do for any President. It will do whatever can be done, reasonably and practically under the rules, to accommodate to his wishes at least to the extent of bringing these measures to a decision one way or another on the floor of the Senate.

After the extraordinary agendas which have been disposed of in the Senate during the past 8 years, it seems to me that ample consideration of most of the President's requests should not exhaust congressional resources. Indeed, we should still be able to find time for additional congressional initiatives like those already taken this year in the area of tax relief and reform, electoral college reform and the approaches to crime legislation.

A quantum device has yet to be established to evaluate the work of the Congress. To count the bills passed is not an answer. To regard the extent of approval for the President's legislative program alone as the yardstick provides no

measure for the congressional contribution which must be considered if the separate and independent role of the Congress is to have meaning under the Constitution. Moreover, how is the value of weeks of profound debate of the ABM to be measured? Is the passage of this measure—a Presidential item—to be debited or credited in the record of the Congress? Or is its value rather, in the intangible educational effect which will be felt in the treatment of similar budgetary requests in the future? What value can be attached to the work of a Senate committee exploring into the PX shenanigans? Will it forestall the outrageous bilking of GI's in the future even without further legislation? What can be said of the work of the Senate in exercising its constitutional function of advice and consent in foreign relations? Of a Senate which, having once gone along with a precipitate Vietnamese commitment, has stayed with this question ever since and will stay with it until the war is finally brought to an end?

Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the administration's bills sent to Congress and what their status is at the present time.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Subject	Administration Bill sent to Congress	Senate action	Subject	Administration Bill sent to Congress	Senate action
Draft reform.....	August 13.....	Senate bills introduced in February. House hearings underway.	Antigambling jurisdiction.....	Oct. 7.....	Senate bill introduced Jan. 15, awaiting administration views.
Welfare reform.....	October 2.....	Await House action.	Witness immunity.....	Oct. 7.....	Senate bill introduced Jan. 15, awaiting administration views.
Revenue sharing.....	September 23.....	Considered in tax reform hearings.	Federal crime for local authorities involved in gambling.....	July 11.....	Passed Senate Sept. 18.
Postal reform.....	May 23.....	Senate passed career postmaster—House markup underway on Corporation (initially rejected by House committee).	District of Columbia court reorganization.....	.....do.....	Jan. 22 Senate bill introduced.
Manpower reform.....	August 12.....	Awaiting departmental reports.	Bail reform in District of Columbia.....	.....do.....	Senate bill passed July 8.
Social security.....	September 30.....	House must act first.	Appropriations increase for narcotics enforcement.....	Increased budget request expected next week.	
Grant-in-aid.....	May 1.....	Will be reported in November.	Tax reform.....	No draft bill.....	House bill passed August; Senate action this year.
Electoral reform.....	No administration draft.	Jan. 17 introduced; Passed House; Passed Senate Subcommittee.	Pornography (3 bills):		
District of Columbia Government reform.....	May 13.....	Senate bill passed Oct. 1.	Antismut.....	May 5.....	Awaiting Administration views.
OEO reform.....	June 12.....	Passed Oct. 14.	Obscene mail.....	May 8.....	Reported from subcommittee in August.
Foreign aid.....	June 9.....	Pending before committee.	Salacious advertising.....	.....do.....	Reported from subcommittee in August.
Mine safety.....	No draft bill.....	Senate bill passed.	National Computer Job Bank.....	No draft bill.....	
Occupational Health and Safety Board.....	Aug. 6.....	Senate hearings completed.	Airport development.....	June 18.....	Hearings underway.
EEOC injunction power.....	No draft bill.....	Senate bill introduced June 19.	Public transit increase in authorization.....	August 11.....	Awaiting agency views.
Voting rights.....	June 30.....	January 31 (Senate bill referred to Judiciary).	Extend unemployment coverage.....		House must act first (revenue measure)
Food stamps.....	July 7.....	Senate bill passed Sept. 24.			
Population commission.....	July 25.....	Passed Senate Sept. 29.			
Crime:					
Increased appropriations for organized crime.....	No budget request increase yet received.				

Mr. MANSFIELD. Mr. President, on October 3, I reported to the Senate the legislative achievements of this body as they stood as of that point in this session. In conjunction with the President's message on legislation, however, I think it would be appropriate that the record be brought up to date, including the matters scheduled for completion this afternoon.

I ask unanimous consent, therefore, that a compilation of the Senate's legislative activity through today be included at this point in the CONGRESSIONAL RECORD.

There being no objection, the compilation was ordered to be printed in the RECORD, as follows:

LEGISLATIVE ACTIVITY, 91ST CONGRESS, FIRST SESSION, OCTOBER 16, 1969

#### AGRICULTURE

*Durum wheat:* Increased wheat acreage allotments in the irrigable portion of the Tule-

lake area of California each year from a 1969 total allotment of 5,374 acres to a total of 12,000 acres, effective with the 1970 crop. S. 858. P/S 9/23.

*Food stamp authorization:* Increased the authorization for the food stamp program for fiscal 1970 from \$340 million to \$750 million. S.J. Res. 126. P/S 6/24. H.J. Res. 934 H. Cal.

*Food stamp program revision and expansion:* Authorized \$1.25 billion for fiscal 1970, \$2 billion for fiscal 1971, and \$2.5 billion for fiscal 1972; provided for self-certification; established a minimum of \$125 per month for a family of 4; provided free stamps for family of 4 with an income of \$80 or less; and required that every county in the Nation have a Food Stamp program by 1971. S. 2547. P/S 9/24 amended.

*Great Plains program extension:* Extended the Great Plains conservation program for 10 years and enlarged its scope. H.R. 10595. In conference.

*Potatoes:* Exempted potatoes for processing from marketing orders. S. 2214. P/S 10/16.

*Potato and tomato promotion:* Provided for a program of potato research, development, advertising, and promotion, to be financed by assessments of not more than 1¢ per hundred pounds of potatoes produced commercially in the States. S. 1181. P/S 10/16.

*Marketing quota review committees:* Amended the Agricultural Adjustment Act of 1938 to provide that review committee members may be appointed from any county within a State and that the Secretary of Agriculture may institute proceedings in court to obtain a review of any review committee determination. S. 2226. P/S 9/24.

*Seeds:* Authorized the Secretary of Agriculture to approve standards and procedures for seed certification. S. 1836. PL 91-

#### APPROPRIATIONS 1969

*Continuing resolution:* Continued appropriations through October 31, 1969. PL 91-33.

*Second supplemental:* Appropriated \$4,352,357,644 in supplemental funds for Southeast Asia and various departments for fiscal



1969; set an expenditure ceiling of \$191.9 billion for fiscal 1970; and repealed provision of law placing limitation on filling Government vacancies. PL 91-47.

**Supplemental:** Appropriated \$36 million in supplemental funds for fiscal 1969 for Federal employees and ex-servicemen's unemployment compensation. PL 91-2.

**Supplemental:** Appropriated \$1 billion in supplemental funds for fiscal 1969 for the Commodity Credit Corporation. PL 91-7.

#### 1970

**Agriculture:** Appropriated a total of \$7,642,797,650 for the Department of Agriculture and related agencies. HR 11612. In conference.

**Interior:** Appropriated a total of \$1,546,273,300 for the Department of Interior and related agencies. HR 12781. In conference.

**Treasury-Post Office:** Appropriated \$8,783,245,000 for the Departments of Treasury-Post Office, the Executive Office of the President and certain independent agencies for fiscal 1970. PL 91-74.

#### ATOMIC ENERGY

**AEC authorization:** Authorized a total of \$2,448,052,000 for the Atomic Energy Commission for fiscal 1970. PL 91-44.

#### COMMUNICATIONS

**COMSAT Board of Directors:** Related the number of directors on the board of directors of the Communications Satellite Corporation (Comsat) who may be elected by communications common carriers to the proportion of Comsat stock held by such carriers; specified that the articles of incorporation of Comsat may be amended by a vote of not less than two-thirds of all outstanding shares voting as a single class; and permitted Comsat to adopt bylaws which would permit its board of directors to transact business in the event of certain future national emergencies. PL 91-3.

#### CONGRESS

**Commission:** Increased from 5 to 7 the membership of the Commission for Extension of the U.S. Capitol by adding the majority leaders of the Senate and the House. PL 91-77.

**Senate:** Authorized a speech reinforcement system for the Senate Chamber. S. Res. 167. Senate adopted 4/15/69.

**Library of Congress:** Increased from \$75 million to \$90 million the authorization contained in the Act of 1965 for the construction of the third Library of Congress Building to be known as the James Madison Memorial Building. S. 2910. P/S 10/15.

#### DEFENSE

**Coast Guard authorization:** Authorized a total of \$142.8 million for fiscal 1970 of which \$55,584 was for vessel procurement, \$17,188,000 for aircraft, \$57,378,000 for construction and \$12,650,000 for bridge alterations. PL 91-49.

**Dismemberment insurance coverage:** Added to servicemen's group life insurance coverage indemnity payments in the event of dismemberment or loss of use of a hand or foot, or loss of sight of an eye. S. 2186. P/S 9/18.

**Extrahazardous duty:** Provided double indemnity servicemen's group life insurance coverage for members of the uniformed services assigned to duty in a combat zone or assigned to extrahazardous duty. S. 1650. P/S 9/18.

**Joint Chiefs of Staff Chairman:** Authorized the President to reappoint General Earle G. Wheeler as Chairman of the Joint Chiefs of Staff for an additional term of one year. PL 91-19.

**Legislative jurisdiction over lands:** Authorized the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within the Army National Guard Facility, Ethan Allen, and

the U.S. Army Materiel Command Firing Range, Underhill, Vermont. S. 59. P/S 7/29.

**Marine Corps:** Established the grade of General for the Assistant Commandant of the Marine Corps when the personnel strength of the corps exceeds 200,000. PL 91-11.

**Military procurement—ABM:** Authorized \$20,001,586,000, fiscal year 1970, for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles and research, development, test, and evaluation for the Armed Forces, for construction and deployment of the Safeguard Anti-ballistic Missile System, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces. S. 2546. In conference.

**Servicemen's group life insurance increase:** Increased from \$10,000 to \$15,000 the amount of servicemen's group life insurance. S. 1479. P/S 9/18.

**Stockpile disposal:** Authorized the sale of 100,000 short tons of lead from the national and supplemental stockpiles. PL 91-46.

**Submarine pay:** Provided that junior nuclear-trained submarine officers who have completed their minimum obligated service, but not more than 10 years, may be paid an additional \$3,750 per year if they agree, by voluntary contract, to remain on active duty for an additional 4 years. PL 91-20.

#### DISTRICT OF COLUMBIA

**Bail Agency Act:** Amended the D.C. Bail Agency Act of 1966 to require the Agency to supervise criminal defendants released under the Act to insure that they conform to the conditions of their release and actually appear for trial; and increased the Agency authorization from \$130,000 to \$360,000 for employing additional personnel to carry out the purposes of this bill. S. 545. P/S 7/8.

**Commission on D.C. Government:** Established a home rule study commission to make a study and report to Congress its recommendations 18 months after its establishment. S. 2164. P/S 10/1.

**Court suits:** Authorized suits in the courts of the District of Columbia for the collection of taxes owed to States, territories, or possessions, or political subdivisions thereof, when a reciprocal right is accorded to the District. S. 2502. P/S 9/3.

**Debt adjusting:** Prohibited the business of debt adjusting in the District of Columbia except as an incident to the lawful practice of law or as an activity engaged in by a nonprofit corporation or association. S. 1458. P/S 7/8.

**Delegate:** Creates the office of congressional delegate from the District of Columbia and provides he shall be chosen by the qualified voters of the District, in a partisan, general election, following nomination by a political party by means of a party primary, or, in the alternative, following the submission of a nominating petition signed by 5,000 voters or 2 percent of the total District electorate, whichever is less. S. 2163. P/S 10/1.

**Interstate compact on juveniles in D.C.:** Authorized the Commissioner of the District of Columbia to enter into the interstate compact on juveniles which is now law in 47 States and provides a uniform nationwide agreement for the disposition of juveniles who leave the State in which they have been found delinquent and also for the return of runaway youths to their home States. S. 2335. P/S 9/18. HR 8868. P/H 7/28.

**Judges Retirement Act:** Amended title 11 of the District of Columbia code to permit unmarried judges of the courts of the District of Columbia who have no dependent children to terminate their payments for survivors annuity and to receive a refund of amounts paid for such annuity. S. 2056. P/S 9/3.

**National Capital Transportation Act of 1969:** Authorized not to exceed \$1,147,044,000 as the federal contribution for the 97.7

mile rapid rail transit system for D.C. and nearby areas of Maryland and Virginia; and authorized \$150,000 to study the feasibility of a rapid rail line between Dulles Airport and the main metro system utilizing the median of the Dulles access highway. S. 2186. P/S 7/8.

**Reorganization of D.C. courts:** Provided for a restructured court system in the District of Columbia. S. 2601. P/S 9/18.

**Revenue:** Provides approximately \$61.6 million in additional revenues for the D.C. government and authorizes a Federal payment of up to \$120 million. HR 12982. In conference.

**Unemployment Compensation Act:** Exempts certain public international organizations, which have headquarters or regional offices in the District of Columbia, from registering with the D.C. Unemployment Compensation Board and from the payment of the unemployment tax. PL 91-80.

**Washington International School:** Authorized the Commissioner of the District of Columbia to convey the Phillips School located in Georgetown, to the Washington International School, Inc. for the sum of \$500,000. PL 91-63.

#### DUTIES

**Chicory roots:** Made permanent the existing temporary suspension of duty on crude chicory roots; and added two amendments 1) repealing the limitation on Federal participation in Aid to Families with Dependent Children scheduled under present law to become effective July 1, 1969, and 2) extended through June 30, 1971 the authority to provide temporary assistance for the care of repatriated Americans. PL 91-41.

**Electrodes—Aluminum:** Continued through December 31, 1970, the suspension of duties on electrodes imported for use in producing aluminum. PL 91-26.

**Heptanoic acid:** Continued through December 31, 1970 the suspension of duties on heptanoic acid; and extended through July 31, 1969 the "surcharge" withholding tax rates. PL 91-36.

**Istle:** Continued the existing suspension of duty on certain istle through September 5, 1972. PL 91-65.

**Metal scrap:** Extended through June 30, 1971 the existing suspension of duties on metal waste scrap. PL 91-25.

**Shoe lathes:** Extended through June 30, 1972 the existing suspension of duty on copying lathes used for making rough or finished shoe lasts from models of shoe lasts and capable of producing more than one size shoe from a single size model or shoe last; and a 2-year suspension of the law requiring States to constantly expand the benefits of Medicaid so that such services will be provided to all indigent residents. PL 91-56.

**Spun silk:** Extended through November 7, 1971 the suspension of duties on certain classifications of spun silk yarn which expired on November 7, 1968. PL 91-28.

#### ECONOMY AND FINANCE

**Bankruptcy Commission:** Created a commission to study and recommend changes in the bankruptcy laws. S.J. Res. 88. P/S 6/20.

**Commission on Balanced Economic Development:** Established a bipartisan 20-member Commission on Balanced Economic Development to undertake a thorough study and analysis of current geographic trends in the economic development of the Nation. S.J. Res. 60. P/S 5/27.

**Debt limit:** Provided a permanent debt limitation of \$365 billion and a temporary additional increase of \$12 billion through June 30, 1970. PL 91-8.

**Disaster relief:** Provided for Federal loan adjustments, grants to States for disaster planning, shelter for disaster victims, food stamp program, assistance to unemployed individuals, clearance of lake contamination, fire control, debris removal, and timber sale contracts. PL 91-79.

**Export Control Act extension:** Extended through October 31, 1969 the authority to control exports pending enactment of legislation now on the Senate Calendar. PL 91-59.

**Gold and silver content:** Amended the National Gold and Silver Stamping Act to provide a civil remedy for misrepresentation of the quality of articles made from gold and silver. S. 1046. P/S 5/23.

**Investors study:** Extended to September 1, 1970 the time in which the Securities and Exchange Commission has to study and make a report to Congress on institutional investing practices in the securities market, and increased the appropriation authorization from \$875,000 to \$945,000. S.J. Res. 112. PL 91-

**Mutual fund reforms:** Amended those sections of the Investment Company Act of 1940 which pertain to investment company management fees, mutual fund sales commissions and periodic payment or contractual plan sales commissions; amended various provisions of the Federal securities laws to permit banks and savings and loan associations to operate commingled managing agency accounts in competition with mutual funds; amended other provisions of the Investment Company Act and the Investment Advisers Act to update and improve the administration and enforcement of these acts; and postponed until 18 months after enactment the effective date of the section of the bill that deals with oil and gas mutual funds. S. 2224. P/S 5/26.

**Economic Opportunity Amendments of 1969:** Authorized \$2,048 billion for fiscal year 1970 and \$2,048 billion for fiscal year 1971 and \$2,732 billion for fiscal year 1971 for carrying out programs under the Economic Opportunity Act, and established a new alcoholic counseling and recovery program and a new drug rehabilitation program. S. 3016. Passed Senate 10/14.

**Rates of interest and dividends on time and saving deposits:** Extended for an additional 3 months until December 22, 1969, flexible authority to regulate the rate of interest on savings deposits paid by financial institutions. PL 91-71.

**Regional economic development legislation:** Revised and extended the Appalachian Regional Development Act of 1965 through June 30, 1971 and authorized for the 2-fiscal-year period, exclusive of highway construction funds, \$294 million; extended the highway portion of the program through June 30, 1973, and authorized \$695 million for the 4-fiscal-year period; extended title V of the Public Works and Economic Development Act for 2 years through June 30, 1971 and authorized for the 1-fiscal-year period \$285 million; and extended title I of the Public Works and Economic Development Act for 1 year which authorizes grants for construction of public facilities. S. 1072. In conference.

**Small Business Administration:** Increased the ceiling on the amount of loans which can be outstanding at one time for loans to State and local development companies under title V of the Small Business Investment Act from \$300 million to \$500 million. S. 2815. P/S 8/13.

**Small Business Investment Act amendments:** Clarified SBA's authority to enter into guarantee agreements on loans made by private lending institutions to small business investment companies. S. 2540. P/S 8/13.

#### EDUCATION

**Educational TV:** Authorized \$20 million for fiscal 1970 and extended the appropriations authorization for the Public Broadcasting Act to July 1, 1974. Limited appropriations to \$15 million for each of the fiscal years 1971-73. S. 1242. PL 91-

**Student loans:** Authorized \$20 million for fiscal 1970 and existing unused reserve funds of the insured loan program for temporary special allowances, and \$40 million for fiscal 1971, to eligible lenders under the insured loan program of title IV-B of the Higher

Education Act of 1965; authorized an increase for fiscal 1970 from \$275 million to \$325 million and from \$300 million to \$375 million for fiscal 1971 for the national defense student loan program; increased the authorization for the educational opportunity grant program from \$100 million to \$125 million in fiscal 1970 and from \$140 million to \$170 million in fiscal 1971; and increased the authorization for the college work-study program from \$250 million to \$257 million in fiscal 1970 and from \$285 million to \$320 million for fiscal 1971; made the provisions effective 8/1/69. HR 13194. PL 91-

**National Center on Educational Media for the Handicapped:** Authorized the Secretary of Health, Education, and Welfare to enter into an agreement with an institution of higher education for the purpose of establishing and operating a National Center on Educational Media and Materials for the Handicapped. PL 96-61.

**National Commission on Libraries:** Established a National Commission on Libraries and Information Science as an independent component of the Office of the Secretary of Health, Education, and Welfare to develop and recommend overall plans for carrying out the national policy with respect to libraries and information science and to advise appropriate governmental agencies at all levels relative to the means of carrying out such plans. S. 1519. P/S 5/23.

**NEA:** Liberalized the corporate power of the National Education Association; eliminated the board of trustees and transferred their duties to the executive committee of the association. PL 91-37.

**National Science Foundation Authorization:** Authorized a total of \$500,150,000 for fiscal year 1970. S. 1857. In conference.

**New Hampshire-Vermont Compact:** Gave Congressional consent to the New Hampshire-Vermont interstate school compact. PL 91-21.

**Scholarships and child-care centers:** Amended the Labor-Management Relations Act to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for pre-school and school age dependents of employees. S. 2068. PL 91-

#### FEDERAL EMPLOYEES

**Civil service retirement:** Authorized annual payments directly from the Treasury to the Civil Service Retirement and Disability Fund equal to the lost interest on the unfunded liability of the Fund; increased employee and agency contributions from 6½ percent to 7 percent, effective 1/1/70, and increased contributions by Congressional employees to 7½ and Members of Congress to 8 percent; used "high-3" instead of "high-5" for computing civil service annuities; added 1 percent to cost-of-living increases for annuitants; permitted accumulated sick leave to be added to computation of annuity; and permitted Congressional employees to receive 2½ percent credit for all years of Congressional employment. HR 9825. PL 91-

**Employment of aliens:** Authorized the Secretary of Commerce to employ aliens in a scientific or technical capacity. S. 1173. P/S 6/19.

**National Zoological Park:** Removed all positions in the National Zoological Park police force from the classification system of the Civil Service Commission and authorized the Secretary of the Smithsonian, with certain limitations, to fix the salaries. PL 91-34.

**Park Police age limit:** Granted the Secretary of Interior discretionary authority to fix a maximum age for entry into Park Police duty in the 29- to 31-year age range. PL 91-73.

**Postmaster appointments:** Provided for the appointment of all postmasters at post offices of the first, second, and third class by the Postmaster General; and prohibited political

recommendations from being taken into account in the appointment of any person to any position in the Post Office Department other than Presidential nominees and policy making employees. S. 1583. P/S 8/12. (PR)

**Travel per diem increase:** Increased from \$16 to \$25 the maximum per diem allowance for travel in continental United States; from \$30 to \$40 for actual expenses; and from \$10 to \$18 per day the maximum actual expenses reimbursement for foreign travel authorized to be paid in addition to the maximum per diem established for the area involved. HR 337. P/S amended 10/8.

#### GENERAL GOVERNMENT

**Cabinet Committee on Opportunities for Spanish-Speaking People:** Established the Cabinet Committee to assure that Federal programs are reaching all Mexican Americans, Puerto Rican Americans, Cuban Americans, and all other Spanish-speaking and Spanish-surnamed Americans and providing assistance they need, and to seek out new programs that may be necessary to handle problems that are unique to such persons. S. 740. P/S 9/25. (PR)

**Commission on Government Procurement:** Established a temporary 9-member Commission on Government Procurement which would be directed to make a comprehensive study of Federal procurement statutes, policies, and practices, submit a final report of its findings and recommendations to Congress within 2 years from the date of enactment, and would cease to exist 120 days after the submission of its final report. HR 474. P/S amended 9/26.

**Commission on Population Growth and the American Future:** Established the Commission on Population Growth and the American Future to conduct and sponsor studies and research and to make such recommendations as are necessary to provide information and education at all levels of government in the United States, and to the public, regarding a broad range of problems associated with population growth and their implication for America's future. S. 2701. P/S 9/29. (PR)

**Copyright protection:** Continued until December 31, 1970, the renewal term of any copyright subsisting on the date of approval of this resolution, or the term as extended by PL 87-668, by PL 89-442, by PL 90-141, or PL 90-416, where such term would otherwise expire prior to December 31, 1970. S.J. Res. 143. P/S 10/6.

**John F. Kennedy Center:** Increased by \$7.5 million (to \$23 million) the Federal share for construction of the John F. Kennedy Center and by \$5 million (to \$20.4 million) the borrowing authority for the construction of underground parking facilities. H.R. 11249. PL 91- (PR)

**Medical supplies:** Authorized the head of any Federal department or agency who is responsible for the storage of medical materials or medical supplies held for a national emergency to determine when the shelf life is of too short duration for continued retention. S. 406. P/S 9/26.

**Metric system study:** Authorized a total appropriation of \$2.5 million, over a 3-year period, to enable the Secretary of Commerce to conduct the study of the metric system authorized last year by PL 90-472. S. 1287. P/S 5/14. H. Cal.

**Office of Intergovernmental Relations:** Authorized the appropriations of such sums as may be necessary for the expenses of the Office of Intergovernmental Relations established by Executive Order February 14, 1969, to advise and assist the Vice President with respect to his intergovernmental relations responsibilities as the President's liaison with executive and legislative officials of State and local governments. S.J. Res. 117. P/S 9/29.

**Surplus property for public museums:** Makes public museums, such as public libraries, eligible to secure surplus property which is usable and necessary for purposes of



education, public health, or for research for any such purpose. S. 2210. P/S 9/26.

#### HEALTH

**Clean Air Act amendments:** Granted a 1-year extension of the research authorization (sec. 104) of the Air Quality Act of 1967 at the current level of \$90 million. S. 2276. In conference.

**Medicaid:** Provided for a 2-year suspension of the law requiring States to constantly expand the benefits of Medicaid so that such services will be provided to all indigent residents. PL 91-56.

**National Commission on Product Safety:** Extended the life of the National Commission on Product Safety from November 20, 1969, to no later than June 30, 1970. PL 91-51.

**Toy Safety Act:** Amended the Federal Hazardous Substances Act so that the Secretary of Health, Education, and Welfare, in order to protect children from serious injury and illness, may ban from the marketplace toys and other articles intended for use by children which present electrical, mechanical, and thermal hazards. S. 1689. In conference.

**Water pollution control:** Authorized the Federal Government to clean up oil spills; required Federal licensees and permittees to comply with water quality standards as a precondition of the license or permit; subjects vessel sewage to new methods of control; provided for consideration of environmental policies and brings other environmental policies into all other Federal programs. HR 4148. In conference.

#### HOUSING

**Housing programs:** Extended for 3 months, until January 1, 1970, all Federal housing programs which would otherwise expire on October 1, 1969. PL 91-78.

**Housing and urban development act of 1969:** Authorized \$6.2 billion over the next two years for Federal Housing Administration programs, urban renewal, model cities, rent supplement, and public housing; provided rent subsidies for tenants of public housing; extended Federal Housing Administration loan guarantees to mobile homes; and raised the ceiling on the amounts that could be spent per room for constructing public and federally assisted housing. S. 2864. P/S 9/23. H. Cal.

**Paraplegic veterans:** Extended the eligibility requirements governing the grant of assistance in acquiring specially adapted housing for paraplegic veterans to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required. PL 91-22.

#### IMMIGRATION

**Western Hemisphere immigration:** Facilitated the entry into the U.S. of executive officers and managerial personnel of Western Hemisphere businesses having branch offices, affiliates, or subsidiary corporations in the U.S. S. 2593. P/S 8/13.

#### INDIANS

**American Indian rights:** Clarified titles II and III of the Civil Rights Act of 1968 by providing that title II shall not be construed to affect any tribal property rights secured by law or treaty or to dilute the sovereignty of the tribal governments except to the extent of the prohibitions upon governmental action expressly set forth in title II, and by providing that the model code in title III will not become applicable to any tribe unless it is first adopted by the tribal council or other governing body of the tribe. S. 2173. P/S 7/11.

**Cheyenne River Sioux Tribe:** Provided that all right, title, and interest of the U.S. in 640 acres located at an old school site, together with all improvements, except fencing owned by an Indian permittee, shall be held in trust by the U.S. for the Cheyenne River Sioux Tribe. S. 921. P/S 8/13.

**Flathead Reservation in Montana:** Provided for the disposition of an award in the amount of \$190,399.97 to the Confederate Salish and Kootenai Tribes of the Flathead Reservation in Montana. PL 91-75.

**Fort Berthold Reservation:** Declared that the United States shall hold certain lands in trust for the Three Affiliated Tribes of the Fort Berthold Reservation. S. 775. P/S 8/13. H. Cal.

**Indian land:** Compensates the Indians of California for the value of land erroneously used as an offset against a judgment. The offset was \$83,275, plus interest at 4 percent from December 4, 1944. PL 91-64.

**Indians of the Pueblo of Laguna:** Declared that the United States will hold approximately 1,016.65 acres of excess federally owned land in trust for the Laguna Pueblo, New Mexico. S. 210. P/S 8/13.

**Loans:** Authorized the Secretary of Agriculture, through the Farmers Home Administration, to make loans to any Indian tribe or tribal corporation for the purpose of acquiring lands within the tribe's reservation. S. 227. P/S 9/12.

**Long term leases:** Authorized longer term leases of Indian trust or restricted lands located outside the boundaries of Indian reservations in New Mexico. S. 1609. P/S 8/13.

**Long-Term Leasing Act:** Increased from 50 to 65 years the maximum term of leases of individual and tribal lands for public, religious, educational, recreation, residential, and business purposes. S. 204. P/S 8/13.

**National Council on Indian Opportunity:** Established an annual ceiling of \$300,000 for the expenses of the National Council on Indian Opportunity. S. J. Res. 121. P/S 9/3.

**Navajo Indian Reservation:** Amended the Navajo-Hopi Rehabilitation Act of 1950, to increase the total amount authorized for roads and trails by \$5 million in order to construct and improve a road on the Navajo Reservation. S. 404. P/S 8/13.

**Rosebud Sioux Indian Reservation:** Amended the 1963 act which authorized the sale or exchange or mortgaging of isolated tracts of tribal land on the reservation, to provide that any lands mortgaged shall be subject to foreclosure and sale pursuant to the terms of the mortgage and in accord with the laws of South Dakota. S. 73. P/S 8/13.

#### INTERNATIONAL

**Foreign governments recognition:** Expressed as the sense of the Senate that when the United States recognizes a foreign government and exchanges diplomatic representatives with it, this does not of itself imply that the United States approves of the form, ideology, or policy of that foreign government. S. Res. 205. Senate adopted 9/25/69.

**International Conference:** Authorized the Secretaries of State and Commerce, in consultation with other interested parties, to arrange to convene an international conference to negotiate a Patent Cooperation Treaty and authorized the appropriation of \$175,000 for this purpose. S.J. Res. 90. P/S 6/18.

**International Development Association:** Authorized the United States to contribute \$480 million to the World Bank's IDA over the next 3 years. PL 91-14.

**International expositions:** Provided for Federal Government recognition of and participation in international expositions to be held in the United States. S. 856. P/S 6/18.

**National commitments:** Defined national commitment as the use of Armed Forces on foreign territory, or a promise to assist a foreign government by use of Armed Forces of financial resources, and expressed as the sense of the Senate that a national commitment could result only from affirmative action taken by the executive and legislative branches by means of a treaty, statute or concurrent resolution of both Houses of Congress providing for such a commitment. S. Res. 85. Senate adopted June 25, 1969.

**Peace Corps amendments:** Authorized \$95,-

450,000 for the Peace Corps for fiscal 1970. HR 11039. PL 91-

#### TREATIES

**Agreement with Canada on Niagara River Diversions:** Purpose of this agreement is to provide for the temporary diversion of water from the American Falls of the Niagara River for power production purposes pending a study of ways to prevent the continued erosion of the rock underneath. Ex. C (91-1). Resolution of ratification agreed to 5/13/69.

**Broadcasting Agreements With Mexico:** Two related but separate agreements concerning radio broadcasting in the standard broadcasting band and the operation of broadcasting stations in the standard band at presunrise and postsunrise. Ex. B (91-1). Resolution of ratification agreed to 6/19/69. (PR)

**Convention on Offenses Committed on Board Aircraft:** Established international rules providing for continuity of jurisdiction with respect to crimes and other offenses committed on board aircraft engaged in international aviation. Ex. L (90-2). Resolution of ratification agreed to 5/13/69.

**Nonproliferation of Nuclear Weapons:** Retards the further spread of nuclear weapons by prohibiting the nuclear weapon States party to the treaty from transferring nuclear weapons to others and by barring the non-nuclear-weapon countries from receiving, manufacturing, or otherwise acquiring nuclear weapons. Ex. H (90-2). Resolution of ratification agreed to 3/13/69.

#### JUDICIAL

**Jurisdiction of U.S. Courts:** Provided courts of the United States with jurisdiction over contract claims against nonappropriated fund activities of the U.S. S. 980. P/S 6/30.

**National Commission on Reform of Federal Criminal Laws:** Extended to 11/8/70 the time within which the Commission shall submit its final report and increased the authorization from \$500,000 to \$850,000 with authority for the Commission to carry over any funds not expended in 1970 into 1971. PL 91-39.

**Omnibus judgeship bill:** Created 70 new district judgeships of which 67 are permanent and 3 are temporary throughout the United States. S. 952. P/S 6/23.

**Prince Georges County Court:** Authorized the United States District Court for the District of Maryland to sit at a suitable site in Prince Georges County, as well as at Baltimore, Cumberland, and Denton, Maryland. S. 981. P/S 10/6.

#### LABOR

**Construction workers:** Promotes health and safety standards in the construction industry by authorizing the Secretary of Labor to set standards which contractors and subcontractors would be required to meet on Federal, federally financed, or federally assisted construction. PL 91-54.

**Federal Coal Mine Health and Safety Act of 1969:** Improved the health and safety conditions and practices at underground coal mines; provided protection in all other coal mines, including surface mines, not now covered by the Federal Coal Mine Safety Act as amended; established health standards; provided authority for the Interior Department to promulgate improved mandatory health and safety standards for all coal mines by regulation; authorized a 4-year \$70 million Federal-State compensation program for victims of pneumoconiosis or their widows; and authorized a \$75 million research program to determine if pneumoconiosis can be cured or prevented. S. 2917. P/S 10/2.

**Manpower Development and Training Act Amendment:** Authorized \$100,000 as the minimum amount which can be apportioned to the Trust Territory of the Pacific Islands for job training. PL 91-4.

#### MEMORIALS AND TRIBUTES

**American Fisheries Society Centennial Medal:** Provided for striking medals in com-

memoration of the 100th anniversary of the founding of the American Fisheries Society on December 20, 1870. PL 91-13.

**American motion picture:** Designated 1969 as the Diamond Jubilee year of the American Motion Picture. H. Con. Res. 165. House adopted 4/21; Senate adopted 5/5/69.

**American Revolution Bicentennial Commission:** Extended the reporting date of the Commission from July 4, 1969 to July 4, 1970, and extended the authorization for appropriations from fiscal year 1969 to fiscal year 1970. PL 91-84.

**Apollo 11:** Commended the Apollo 11 astronauts on their successful lunar expedition. S. Res. 224. Agreed to 7/25/69.

**Baseball centennial:** Extended congratulations of Congress to organized baseball to commemorate its 100th anniversary in 1969. H. Con. Res. 300. House adopted 7/15; Senate adopted 7/17/69.

**Carl Hayden Project:** Renamed the Central Arizona Project as the Carl Hayden Project. S.J. Res. 28. P/S 3/24.

**Chouteau Lock and Dam, Oklahoma:** Authorized that lock and dam numbered 17 on the Verdigris River, Oklahoma, be named for the Chouteau family. S. 1499. P/S 9/5.

**Congressional Space Medals of Honor:** Authorized the President to award, and present in the name of Congress, a medal of appropriate design, which shall be known as the Congressional Space Medal of Honor, to any astronaut who in the performance of his duties has distinguished himself by exceptionally meritorious efforts and contributions to the welfare of the Nation and of mankind. PL 91-76.

**Dartmouth College:** Expressed congratulations of Congress to Dartmouth College on the occasion of the 200th anniversary of its founding. H. Con. Res. 114. House adopted 4/29; Senate adopted 6/19/69.

**Eisenhower Dam:** Renamed Glen Canyon Dam as the Dwight D. Eisenhower Dam. S. 1613. P/S 6/30.

**Eisenhower Dollar:** Authorized the minting of approximately 300 million 40 percent silver dollars bearing the likeness of the late President Dwight David Eisenhower. S.J. Res. 158. P/S 10/15; P/H amended 10/15.

**Eisenhower National Historic Site:** Authorized \$1,108,000 for the development of the Eisenhower National Historic Site at Gettysburg, Pa., designated as such in 1967. S.J. Res. 26. P/S 8/13. P/H amended 9/15.

**Everett Bridge:** Named the Tennessee-Missouri Bridge, now under construction across the Mississippi River linking the States of Tennessee and Missouri, in honor of the late Congressman Robert A. Everett from the 8th Congressional District of Tennessee. S. 769. P/S 2/4.

**High Speed Photography:** Expressed the sense of Congress that all interested Federal agencies should participate actively in the Ninth International Congress on High-Speed Photography to be held in Denver, Colorado, in August of 1970. S. Con. Res. 12. P/S 6/16.

**Lyndon B. Johnson National Historic Site:** Established the Lyndon B. Johnson National Historic Site to consist of two principal areas and authorized \$180,000 for its development. S. 2000. P/S 8/13.

**St. Lawrence Seaway:** Recognized the 10th anniversary of the opening of the St. Lawrence Seaway. C. Con. Res. 17. Senate adopted 6/19; passed House amended 6/24; Senate concurred 6/26/69.

**Taft Historic Site:** Established the birthplace of William Howard Taft, the 27th President of the United States, as a National Historic Site located on Auburn Street in Cincinnati, Ohio, and authorized \$318,000 for its restoration and development. HR. 7066. P/S amended 9/24.

**U.S. Diplomatic Courier Service:** Authorized the Secretary of the Treasury to strike bronze medals in commemoration of the fiftieth anniversary of the U.S. Diplomatic Courier Service. PL 91-48.

**Winston Churchill Medal:** Provided for striking a medal in honor of the dedication of the Winston Churchill Memorial and Library at Fulton, Missouri, in May, 1969. PL 91-12.

#### PRESIDENCY

**Mail:** Authorized free postage for Mrs. Mamie Doud Eisenhower, widow of former President Dwight David Eisenhower. PL 91-10.

**Pay increase:** Provided a \$100,000 pay increase for the President of the United States. PL 91-1.

#### PROCLAMATIONS

**Adult Education Week:** Authorized the President to issue a proclamation designating the period September 1-7, 1969 as "Adult Education Week." S.J. Res. 45. P/S 5/5.

**Day of Bread and Harvest Festival:** Authorized the President to issue a proclamation designating October 28, 1969 as a "Day of Bread" as a part of international observances, and that the last week of October within which it falls be designated as a period of "Harvest Festival." H.J. Res. 851. PL 91-

**Helen Keller Memorial Week:** Authorized the President to issue a proclamation designating the first week in June of 1969 as "Helen Keller Memorial Week." PL 91-17.

**National Adult-Youth Communications Week:** Authorized the President of the United States to issue a proclamation designating the week of September 28 through October 4, 1969, as "National Adult-Youth Communication Week." PL 91-72.

**National Archery Week:** Authorized the President to issue a proclamation designating the 7-day period beginning August 26, 1969, and ending September 1, 1969, as "National Archery Week." PL 91-55.

**National Family Health Week:** Authorized the President to issue a proclamation designating the period November 16-22, 1969, as "National Family Health Week." S.J. Res. 46. PL 91-

**National Industrial Hygiene Week:** Designated the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week." S.J. Res. 150. PL 91-

**Professional Photography Week:** Authorized the President to issue a proclamation designating the period June 8-14, 1969, as "Professional Photography Week in America." PL 91-23.

**Von Steuben Memorial Day:** Authorized the President to issue a proclamation designating September 17, 1969 as "General von Steuben Memorial Day" to commemorate his birth and services to the United States. PL 91-70.

#### REORGANIZATION

**Authority extension:** Extended to April 1, 1971, the authority of the President to submit reorganization plans to the Congress proposing reorganizations in the executive branch of the Government. PL 91-5.

**HEW—Appointments and confirmations:** Required that future appointments in the following positions in HEW be made by the President and confirmed by the Senate: Administrator of the Social and Rehabilitation Service; Commissioner of Rehabilitation Services Administration; Commissioner of Medical Services Administration; and Commissioner of Assistance Payments Administration. S. 1022. P/S 3/4.

**Plan No. 1:** Reorganization of Interstate Commerce Commission to permit the President to designate the Chairman and to vest administrative authority in the Chairman. Effective October 11, 1969.

#### RESOURCE BUILDUP

**Apostle Islands:** Authorized the establishment of the Apostle Islands National Lakeshore in Wisconsin and authorized \$6,660,000 for land acquisition and \$8,257,700 for development of the project. S. 621. P/S 6/26.

**Buffalo National River:** Authorized the Secretary of Interior to establish the Buffalo

National River on not more than 95,730 acres in the Ozark Mountains of northwest Arkansas. S. 855. P/S 9/3.

**El Dorado National Forest:** Designated 63,469 acres in the El Dorado National Forest in California as a Wilderness preservation area. PL 91-82.

**Environmental quality:** Established an independent, high-level three-member Board of Environmental Quality Advisers in the Executive Office of the President to provide a continuing study and analysis of environmental trends and the factors which affect these trends, and to relate each area of study and analysis of the social, economic, health, and conservation goals of the Nation. S. 1075. In conference.

**Everglades National Park, Fla.:** Authorized \$800,000 to acquire a 6,640-acre inholding in the Everglades National Park under option to the National Park Service and due to expire November 16, 1969. S. 2564. PL 91-

**Feasibility studies:** Authorized the Secretary of Interior to undertake feasibility investigations of eight water resource development projects which may subsequently be presented for authorization by the Congress as elements of the Federal Reclamation Program. PL 91-81.

**Florissant fossil beds:** Established the Florissant Fossil Beds as a National Monument in the State of Colorado. PL 91-60.

**Golden Eagle program:** Restored the golden eagle program to the Land and Water Conservation Fund Act, and guaranteed free access to and use of Federal lakes and reservoirs under the jurisdiction of the U.S. Army Corps of Engineers. S. 2315. P/S 9/24.

**Interstate oil compact:** Granted the consent of Congress to a 2-year extension (to September 1, 1971) of the Interstate Compact to Conserve Oil and Gas. S.J. Res. 54. P/S 10/13.

**Kennewick—Yakima project:** Authorized \$6,735,000 to construct an extension to the existing Kennewick division of the Yakima reclamation project in southeastern Washington to irrigate an additional 6,300 acres. PL 91-66.

**Kortes unit of the Missouri River Basin:** Authorized the Secretary of Interior to modify the operation of the Kortes unit of the Missouri River Basin project, Wyoming for fishery conservation. S. 40. P/S 8/13.

**Lincoln Back Country, Montana:** Authorized the Secretary of Agriculture to classify as wilderness the national forest lands known as the Lincoln Back Country, and parts of the Lewis and Clark and Lolo National Forests, in Montana. S. 412. P/S 5/29.

**Monomoy Wilderness:** Designated the 2,600-acre Monomoy Island, located in the Monomoy National Wildlife Refuge in Barnstable County, Mass., as part of the National Wilderness Preservation System. S. 1652. P/S 5/23.

**National Council:** Extended to June 30, 1970 the National Council on Marine Resources and Engineering Development and reduced the annual authorized appropriation from \$1.5 million to \$1.2 million. PL 91-15.

**National minerals policy:** Established a national mining and minerals policy to foster and encourage the development of the domestic mining and minerals industry, the development of domestic mineral resources to meet industrial and security needs, and mining, mineral, and metallurgical research. S. 719. P/S 9/5.

**Navajo Indian irrigation project:** Increased the amount of appropriations authorized for project construction from \$135 million to \$175 million and included 8 additional townships in the area from which the project lands may be obtained. S. 203. P/S 8/12.

**Oil and gas leases:** Conferred discretionary authority on the Secretary of Interior to prevent, administratively, termination of certain oil and gas leases on Federal lands and reinstated terminated leases under cer-



tain limitations and conditions. S. 1193. P/S 6/2.

**Padre Island:** Authorized \$4,129,829, plus interest, to satisfy a judgment against the United States in a condemnation action in the U.S. District Court for the Southern District of Texas, for the acquisition of lands and interests in land for the Padre Island National Seashore. PL 91-42.

**Parks and recreation:** Authorized the sale of surplus Federal properties at less than the full 50 percent of fair market value to make surplus Federal property suitable for park and recreational uses more readily available to State and local governments. Required the Congress have 60 days to disapprove such sale. S. 1708. P/S 6/26.

**Pelican Island Wilderness:** Designated approximately 403 acres of the Pelican Island National Wildlife Refuge in Florida as part of the National Wilderness Preservation System. S. 126. P/S 5/23.

**Saline water conversion program:** Authorized \$26 million for fiscal 1970. Of this amount \$17,223,000 is for research and development operating expenses; \$5,355,000 is for design, construction, acquisition, modification, operation, and maintenance of saline water conversion test beds and test facilities; \$1,450,000 is for design, construction, acquisition, modification, operation, and maintenance of saline water conversion modules; and \$1,972,000 is for administration and coordination. PL 91-43.

**Sawtooth National Recreation Area:** Established the Sawtooth National Recreation area, in Idaho, to preserve and protect the scenic, historic, pastoral, fish and wildlife and other recreational values of the Sawtooth Mountains and adjacent valley lands. S. 853. P/S 7/2.

**Tocks Island Dam:** Amends existing law providing for the development of the Tocks Island Dam and Reservoir, Delaware River Basin, to permit the head and water releases of the project to be utilized as part of a comprehensive pumped-storage hydroelectric power project by certain New Jersey electric companies. S. 2678. P/S 7/30.

**Touchet—Walla Walla Projects:** Authorized \$22,774,000 for the construction and operation of the Touchet division of the Walla Walla reclamation project in southeastern Washington which will supply irrigation water to approximately 9,960 acres of land. S. 743. P/S 3/24.

**Upper Niobrara River compact:** Granted congressional consent to the upper Niobrara River compact between the States of Wyoming and Nebraska. PL 91-52.

**Ventana Wilderness:** Designated approximately 98,000 acres in the Los Padres National Forest in California as the Ventana Wilderness. PL 91-58.

**Wilderness areas in Michigan, Wisconsin, and Maine:** Designated as units of the National Wilderness Preservation System the Seney, Huron Islands, and Michigan Islands Wilderness in the State of Michigan, the Wisconsin Islands Wilderness in the State of Wisconsin, and the Edmunds Wilderness and Birch Islands Wilderness in the State of Maine. All of the lands included are presently within the National Wildlife Refuge System. S. 826. P/S 5/26.

**Youth Conservation Corps:** Established a pilot Youth Conservation Corps program for young men and women, 14-18 years of age, who would participate in summer work and educational projects in our national parks, forests, recreation areas, wildlife refuges and other public lands administered by the Departments of Interior and Agriculture for periods up to 90 days. S. 1076. P/S 6/26.

#### SPACE

**NASA authorization:** Authorized appropriations totaling \$3,715,527,000 to the National Aeronautics and Space Administration for fiscal 1970. Of this total \$58,200,000 is for construction of facilities, \$3,019,927,000 for research and development, and \$637,400,000 for research and program manage-

ment; and required disclosure of certain information by former employees, G-15 and above, of NASA who are employed by aerospace contractors doing \$10 million or more annual business with NASA. HR 11271. In conference.

#### TAXES

**Interest equalization:** Extended the interest equalization tax to September 30, 1969. PL 91-65.

**Interest equalization extension—gun registration:** Extended the interest equalization tax until March 31, 1971; modified the President's discretionary authority to vary the tax rates so he may prescribe a lower rate of tax for new issues than the rate applicable to outstanding issues; and modified the Gun Control Act of 1968 to repeal the registration requirements related to persons purchasing shotguns and rifles, or component parts of these types of ammunition. HR 12829. In conference.

**Surtax:** Extended the 10 percent surtax through December 31, 1969. PL 91-53.

**Unemployment tax:** Accelerated the collection of Federal unemployment taxes by requiring they be paid quarterly rather than annually; phased in the transition from an annual to quarterly basis over a 3-year period; and exempted an employer from the quarterly requirement if his cumulative tax liability is \$100 or less. PL 91-53.

#### TRANSPORTATION

**Acquisition of air carriers:** Provides that no person shall acquire control of an air carrier without first obtaining the approval of the Civil Aeronautics Board unless such acquisition has been exempted by the Board from that requirement consistent with the public interest. PL 91-62.

**Maritime authorization:** Authorized a total appropriation of \$384,608,000 for the Maritime Administration for fiscal 1970. PL 91-85.

**Vessel construction differential subsidy:** Authorized a 1-year extension (June 30, 1970) of the present 55 percent ceiling on construction-differential subsidy payments and 60 percent on reconstruction or reconditioning of passenger ships. PL 91-40.

#### VETERANS

**Dependency and indemnity compensation increases:** Provided an overall increase of 13 percent in the dependency and indemnity compensation program for the widows and orphans of servicemen and veterans whose death was service-related. S. 1471. P/S 9/18. P/H amended 10/6.

**Twenty-year disability:** Preserved disability evaluation in effect for 20 years for veterans with service-connected disabilities who have suffered certain anatomical losses or who are totally disabled with severe disabilities. PL 91-32.

**VA Center at Fort Harrison:** Ceded to the State of Montana concurrent jurisdiction with the U.S. over the real property comprising the Veterans' Administration Center, Fort Harrison, Montana, effective upon acceptance by that State. PL 91-45.

**Vietnam era veterans' life insurance:** Provided a special Government life insurance of \$10,000 for veterans of the Vietnam era. S. 2003. P/S 9/18.

#### WELFARE

**Dependent children—repatriated Americans:** Repealed the limitation on Federal participation in Aid to Families with Dependent Children scheduled under present law to become effective July 1, 1969; and extended through June 30, 1971 the authority to provide temporary assistance for the reception and care of repatriated Americans. PL 91-41.

**Older Americans Act amendments:** Extended the grant and contract programs of the 1965 Older Americans Act beyond their June 30, 1969 expiration date and authorized increases for those programs; and authorized a National Older Americans Volunteer Program to provide service opportunities for older Americans. PL 91-69.

Mr. SCOTT. Mr. President, I congratulate the distinguished majority leader for his temperate and cooperative summation on proposed legislation before Congress.

As the President has rightly said, the American people are not going to be so much concerned about charges by the administration on what Congress has not done, or charges by Congress, or the congressional majority, on what the administration has not done, but that the American people will be very much interested in if we make this a competition between the parties, and between Congress and the administration, on how much constructive legislation we can get done. Then we can go back to the people in the normal electoral processes and there compete as to how credit may be fairly allocated among us.

I think that the majority leader's summary is quite fair. I have some small addenda which are in no sense critical, as his report is not critical, as to proposals on draft reform which come from both sides of the aisle, including some interesting proposals in the last Congress and in this Congress by the distinguished senior Senator from Oregon (Mr. HATFIELD), by the distinguished junior Senator from Pennsylvania (Mr. SCHWEIKER), some from me, and some from a number of other Senators.

On the matter of electoral reform, since it does not require a report from the executive branch, and since the President is not required to sign the joint resolution for a constitutional amendment or the amendment itself, I would hope that the Committee on the Judiciary, on which I sit, would act expeditiously. The subcommittee has reported and the President has indicated that electoral college reform is more important to him than the specific method used. I share that opinion.

I would say, with regard to the statement, that there had been no full response on the preventive detention bill, but this is a bill to cure a situation such as in Washington where a 17-year-old committed 15 crimes before he committed murder and was discharged every time, usually with some social science language, that he was mother repressed, or mother dominated, and so was left free to kill. Others have committed while out on bail—I do not think this happened in that case—but in other cases while out on bail, often on their own recognizance, a number of other crimes of violence, and that is what we seek to correct.

I would be surprised if there is not adequate response from the bureaus, because the President himself has pointed out in every executive request submitted to Congress in his messages, that the report is there, because the message itself is a report to the Congress saying that the President would not ask for this if he had not already satisfied himself that the Bureau of the Budget, Treasury, Justice, or any other involved agency had agreed.

As a matter of fact, they have to agree, Mr. President, if the President sends up a message, if they wish to continue their tenure in this lovely city of ours. So each message is a report.

But I am also told that adequate re-

ports are received whenever requested on major propositions.

On the crime bills, in every case the President sent up his message, outlined it, and therefore the reports are here. The desire of the President is clear. The desire of the administration is clear.

There is, I am happy to report, in the year 1969 a decrease in the rate of the rise of crime, but not a decrease in crimes; and we need legislation on obscenity, pornography, reform of the court system, and so forth.

On one other matter, I agree that the dreadful burdens of the Vietnam war are preventing our turning our attention to what we need to do about problems of hunger, ghettos, housing, education, and all those areas where the American people are anxious to see us do our part to improve the conditions of mankind within these United States.

I do have to point out, however, that while the percentage is not precise, I would estimate that about seven-eighths of the burden of Vietnam was inherited by this administration—which makes it no less a burden, but it was not a burden that was put on the American people within the last 8 months. It is a burden which ought to be lessened. It is a burden which ought to be terminated, and at the soonest.

Not to belabor the whole matter too much longer, I would like to end this by again saying that the distinguished majority leader has performed a service in pointing out, as the President has done, that the real competition is not in what you do not do; it lies in what you do.

Therefore, our competition must always continue to be on the basis of how we get the legislation out, is it good legislation, is it constructive, will it work, can it be done within the parameters of the budget?

I like that word "parameter," Mr. President. I do not think I have ever used it before, but I will again. I like a new word every day. But within the parameters of the budget—let me say with pride of semantic acquisition—I think we can legislate in the public interest and in the national interest.

Again I congratulate the distinguished majority leader for having brought to our attention the fact that the Congress is moving. I may take a little pride, perhaps a little credit, in the fact that honest criticism interposed on a timely occasion may have spurred both downtown and uptown into greater speed. We are still operating well within the speed limits, but I do believe that we are now moving.

Again I thank the distinguished majority leader.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. SCOTT. I yield.

Mr. MAGNUSON. This is not necessarily directed to the Senator from Pennsylvania, but to the subject matter that has been discussed here. It seems to me a Congress should be judged by what finally ends up in a statute book at the end of a session, not necessarily by the timing; but often we are judged because the preliminary work leading to the passage of legislation looks like a dragging.

I am glad the Senator from Penn-

sylvania made the distinction about not being competitive.

A good example of some of our problems is that, as he knows, in our committee we have two major national problems on which we want to work with the administration. One has to do with the condition of our airports and airways and the growing needs there.

We had to wait a long time before the Department of Transportation came up with the administration's proposals. We finally had to call a hearing, and the administration then came up with a proposal.

I give this only as an example. When there is a new administration, this happens.

Another example is that we have to get at our merchant marine problems. The administration told us it wanted to send up its merchant marine proposals. So we set a hearing for Tuesday. Now we find they will not be ready until next Tuesday.

That adds to our problems, because they are trying to work out some of the problems and adjust some of them. I think that fact has contributed a great deal to the timing problem, including the 6 weeks we spent on the ABM matter. When we add all of them up, we have 2 or 3 months when it looked like Congress was not doing anything; but it was holding hearings.

It must be remembered that there are two budgets when there is a change in administrations. Of necessity, the Appropriations Committee must wait until the next one is presented, because they will vary. This takes 2 or 3 weeks after a President is inaugurated. I am talking about the time element.

Mr. SCOTT. I can tell the Senator about another mutual problem, and that is mass transportation, in which we are both interested. The Secretary of Transportation has one theory about how it should be financed. Some Members of the Congress have another theory. In working out the proper and final way to fund an enormous and a much needed project of this kind, it of necessity takes time. So the administration comes up with one way of doing it; Congress comes up with another; we have to decide which way is better before we take up the final legislation.

Mr. MANSFIELD. Mr. President, I have only a few remarks to make. First, I want to thank the distinguished minority leader for his temperateness in what he had to say.

Second, I want to say that he is correct when he states in effect that President Nixon was not responsible for the war in Vietnam, but that it became a part of his inheritance when he became President of the United States on January 20 of this year.

Third, I have always said, and will continue to say, that I do not intend to oppose just for the sake of opposition. When I oppose, I would hope I have something constructive to offer. I just do not believe in creating a Donnybrook merely for the purpose of getting a newspaper headline or creating a lot of speculation in the press and in public print.

Fourth, and lastly I ask unanimous consent that the message—a good one—sent by the President of the United States

to the Congress last weekend be incorporated in the RECORD at this point.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

*To the Congress of the United States:*

In the nine months since inauguration, a number of issues have arisen clearly calling for the Congress and the Administration to work together.

One such issue was the extension of the surtax, where our economic security was involved. Another was authority to build the Safeguard ballistic missile defense, where the national safety was the issue. On both occasions, when the time came to be counted, Congress subordinated partisan concerns and voted the country's interest.

The continuance of this working partnership between a Congress heavily Democratic and a Republican Administration, on occasions where great issues are involved, is imperative for the good of our country. I hope this partnership will survive the "spirit of party" that grows more evident weekly in the national capital. Yet, in recent days, the call to partisan combat has grown more compelling.

I am aware that members of the Administration have criticized the Democratic-controlled Congress for "dragging its feet" in the enactment of legislation, for holding hearings thus far on only half the Administration proposals before it, for having enacted but a single appropriations bill for fiscal 1970, a full quarter of the way through the fiscal year. From Capitol Hill there have come similar charges—that the Administration has been laggard in proposing legislation, that the Executive Departments have been slow in giving the Congress the reports it has requested, that some of the most far-reaching Administration proposals have only lately been sent to the Congress, and so, cannot be acted upon by the end of the year.

If a working partnership between men of differing philosophies and different parties is to continue, then candor on both sides is required. There may be merit in both charges; neither the Democratic Congress nor the Republican Administration is without fault for the delay of vital legislation.

But, in my view the American people are not interested in political posturing between the Executive Branch and Capitol Hill. We are co-equal branches of government, elected not to maneuver for partisan advantage, but to work together to find hopeful answers to problems that confound the people all of us serve.

Both the President and Congress have been commissioned by the same American people, for a limited time, to achieve objectives upon which the great majority agree. For our part, we are willing to travel more than half-way to work with Congress to accomplish what needs to be done. The time for staking out political claims will come soon enough.

Let us resolve, therefore, to make the legislative issue of the 1970 campaign the question of who deserves greater credit for the 91st Congress' record of accomplishment, not which of us should be held accountable because it did nothing. The country is not interested in what we say, but in what we do—let us roll up our sleeves and go to work. Before us are urgent legislative priorities.

The legislative program of this Administration differs fundamentally from that of previous administrations. We do not seek more and more of the same. We were not elected to pile new resources and manpower on the top of old programs. We were elected to initiate an era of change. We intend to begin a decade of government reform such as this nation has not witnessed in half a century. Some months ago, a Washington columnist wrote in some pessimism that if ours is not to be an age of revolution then it must become an age of reform. That is the watchword of this administration: *REFORM*.



**REFORM OF THE DRAFT.** I have asked Congress to make the most extensive changes in the way we select young men for military service since the draft became an accepted feature of American life. We have the administrative power—and we will exercise it if Congress fails to act—to make far-reaching reforms in the selective service system, reducing the period of prime vulnerability for young Americans from seven years to 12 months. However, we need Congressional approval to shift from the inequitable requirement of choosing the “oldest first” to the more just method of random selection. I asked Congress five months ago for this power; I ask again today. Basic fairness to our young people is the prime reason for this recommendation. I see no reason why this vital piece of legislation cannot be enacted now.

**REFORM OF THE WELFARE SYSTEM.** Last summer I asked Congress to make the most sweeping changes in the American system of welfare since the beginning of the New Deal. Last week legislation went to Congress outlining the proposal I have made for a new family assistance system to replace the demeaning and bankrupt system that now exists.

Under the present system, sometimes a father must desert his wife and children to make them eligible for benefits. Under the present system, some mothers with three children must survive with only \$39 a month for the entire family to live on.

The family assistance system is built on a different set of principles. It provides incentives for families to stay together. It provides economic rewards for men and women on welfare who enter training programs and search out jobs. It provides a floor under income that assures the minimum necessary for food and clothing and shelter.

The present system has led this country into a morass. It has laid a heavier and heavier burden on the American taxpayer. It has loaded the relief rolls with more and more families even in times of rising prosperity and low unemployment. I ask that Congress begin hearings on the new family assistance system at once. The welfare system should be abandoned as quickly as we can discard it and a new system established in its place.

**REFORM OF THE TAX CODE.** In April I recommended to Congress the most comprehensive set of tax reforms in many years. Subsequently the House of Representatives responded with an even more far-reaching proposal of its own. The national momentum behind tax reform—to make the code more fair and equitable, to shift part of the burden from those who have borne too much for too long to the shoulders of others who have not carried their fair share—must not be allowed to dribble away while a partisan wrangle goes on over who deserves the political credit. We will give Congress as much assistance and as many hours of labor as it requires to enact extensive and responsible reform in this calendar year.

I do ask, however, that Congress, in acting on this major reform, not compromise this administration's effort to combat the most unjust tax of all, inflation. Specifically, I ask that Congress not convert this historic tax reform legislation into a sharp tax reduction that would unbalance the Federal budget and neutralize our campaign to halt the rising cost of living. I ask again that Congress repeal the seven percent investment tax credit, and extend for another six months the income tax surcharge at one-half the present rate. To fail to take these steps would be an abdication by Congress of its vital role in controlling inflation.

**REVENUE REFORM.** For the first time in the history of this government, we have recommended a national policy of permanent sharing of the Federal income tax revenues with the States and lesser political units

in the country. For years, political students and leaders have contended that governments at the State, county and local levels have lost their creativity and lost the capacity to respond because they lack access to the great source of growing revenues available to the Federal government. I have recommended that Congress set aside a rising portion of Federal revenues each year and transmit them directly back to the States and communities to spend as they see fit and not as Washington sees fit. This concept has been debated by both parties and recommended by their majorities for years. The time has come to move it off the plain of discussion to make it a reality. I urge the Congress to move.

**POSTAL REFORM.** For more than a decade the American people have complained increasingly of the rising cost of postal service accompanied step by step with declining service. Today the United States postal system is inferior to that of many countries of Western Europe; it is grossly inadequate to the needs of our society. The nation has known this for years. I have acted in that knowledge—recommending that the existing postal system be scrapped, that a government-owned corporation replace the United States Post Office, that business principles replace partisanship in its management, and that merit and performance—rather than political affiliation—be the new criteria for appointment and advancement. Three years ago this month the Chicago postal system, a microcosm of the national system, collapsed under a flood of mail. The rapid delivery of mail is not a partisan issue. Distinguished leaders, of both parties, have endorsed the precise reform I have recommended. There is no reason why the Congress cannot enact the most complete reform of the United States Post Office in the nation's history—by the close of this session.

I am aware of the setback which postal reform sustained in a House Committee on October 8. That action must be reversed. I shall persist in behalf of both the taxpayers and the mail users in this country to press for this urgently needed reform. I still believe enactment should come by the end of this session of the Ninety-First Congress.

Here I must again urge responsible congressional action, and promptly, on the proposed increase in postal rates for all three classes of mail. When this Administration entered office in January, it confronted a deficit in the postal budget for fiscal year 1970 of more than \$1.2 billion. We are already three months into that fiscal year—and this deficit is being underwritten by the taxpayers, rather than the users of the postal service, who should rightly bear the cost. I recognize that such a measure is hardly a political delight. Yet it is required in the interest of equity and fiscal integrity. I request the Congress to face up to this task.

**MANPOWER REFORM.** The history of the 1960s chronicles an intense political debate that has resulted in the old centralism of the thirties losing converts to the new federalism of the seventies. More and more progressive men in both parties have become convinced from the failures of programs run from Washington that important areas of government decision-making must be returned to the regions and locales where the problems exist.

I have attempted to take that conclusion out of the forum of debate and into the arena of action—Congress. I have recommended that management of a Federal program—the multi-billion dollar manpower training program—be consolidated, and turned over in a three-stage operation to the States and communities to run in a way that fits the needs of the immediate areas involved. No reform of this magnitude has been attempted since centralism became the dominant national trend at the depths of the depression. This recommendation repre-

sents the beginning of a revitalized federalism, the gradual transfer of greater power and responsibility for the making of government decisions to governments closest to the people. I urge swift Congressional action.

**SOCIAL SECURITY REFORM.** I have requested an across-the-board increase of ten percent in Social Security benefits to compensate elderly Americans for the losses they are suffering because of an inflation they could do nothing either to prevent or avoid. In addition, I have proposed a new reform, an escalator in Social Security to insure that benefits will rise correspondingly whenever the cost of living goes up. When this reform is enacted never again will those Americans least able to afford it be made to bear the brunt of inflation. These necessary steps can and should be taken by Congress before the end of this year.

One word of caution. I know the political temptations here. Why not balloon the benefits now, far above 10 percent, for political rewards in 1970? I remind the Congress that it is long since time that we stopped the political over-reactions which fuel the inflation that robs the poor, the elderly, and those on fixed incomes. I urge Congress to hold to this ten percent figure—and let the new escalator protect older Americans against the possibility of future inflation.

A second reform I have proposed is to alter the system of social security to encourage and reward the workers who want to go on working past age 65—rather than discourage them. I ask Congress to enact this measure without delay.

**REFORM OF THE GRANT-IN-AID SYSTEM.** Among the first major pieces of legislation I asked of Congress was authority to make uniform the requirements for participation in many grant-in-aid programs that have proliferated in the last five years. If we are granted the power to draw these programs together, to group them by function—setting far more simple regulations—then States and communities will participate more and Congress' original purposes will be better served. We need that authority now. I know of no reason for delay.

**ELECTORAL REFORM.** While I originally favored other methods of reforming the electoral college system, I have strongly endorsed the direct popular election plan approved by the House. I hope the Senate will concur so that final favorable action can be completed before the end of this session. This must be done if we are to have this needed reform amended to the Constitution in time for the presidential election of 1972.

**D.C. GOVERNMENT REFORM.** For years there has been broad support for granting the people of Washington, D.C. the same right to Congressional representation other Americans have always prized, and the right to conduct their public business themselves. The Federal city has been a federal colony far too long. Months ago I presented to Congress a program to bring about the orderly transfer of political power to the people of this community. I recommended a constitutional amendment giving the District of Columbia at least one representative in the House and such additional representatives as Congress may approve, and providing for the possibility of two United States Senators. I urged Congress further to grant the city one non-voting Congressional representative in the interim, and recommended creation of a commission to prepare and present to Congress and the President a program to improve the efficiency and competence of the District Government—looking to the day of complete self-government. Favorable action has been taken by the Senate. I ask that this work be completed before the end of the year.

**OEO REFORM.** I have provided the Office of Economic Opportunity with a new director, a new structure, and added responsibilities

as the research and development arm of the nation's effort to deal with the problems of the poor. OEO is now strengthening its present operating programs, including the Community Action Agencies, VISTA, Legal Services, Neighborhood Health Centers, Family Planning, Emergency Food, Rural, Older Persons, Indian and Migrant Programs. In addition, there is new emphasis on research, the evaluation of existing Federal social programs, and developing and testing new approaches in community and economic development, manpower and education, to assist the poor to move into the economic life of the nation. I have asked for a two-year extension of the existing legislation, without crippling amendments. I believe that a reformed OEO has a major and continuing role to play in our national life. Here again, there is no need or justification for further delay.

In recent years the Federal Government has suffered a precipitous decline in public confidence. The reason can be found in the chronic gap that exists between the publicity and promise attendant to the launching of a new Federal program—and that program's eventual performance. If confidence in government is to be restored, the gap must be closed.

This is the purpose of the foregoing proposals and great goal of this Administration—not to establish some new arithmetical record for the number of programs proposed, but to do more than other Administrations have done—to devise new approaches, to make the worthy old programs work, and to make old institutions responsive. It is for this that we prize the mechanics and engineers of government who retool and improve its machinery as much as we do the planners and the idea men who develop new programs and new agencies. There is little publicity and less glamor in the labor of the mechanics and engineers of government but, with billions in tax dollars invested in scores and scores of ongoing Federal programs, the need is certainly greater. Let us together make government's performance and responsiveness more commensurate with its size.

**REFORM OF FOREIGN AID.** Our foreign aid program, sent to Congress in May, differs from earlier programs in three significant ways. First, it would place greater emphasis on technical assistance, especially in the areas of agriculture, education, and family planning, where the return would be greatest when measured in terms of national and human development. Second, the new program would create an Overseas Private Investment Corporation to provide a greater thrust for the channeling of private investment to the low-income countries. Third, it would increase the share of our assistance contributed through multilateral institutions.

I know of the economic miracles which foreign aid has helped create in Western Europe and in parts of Asia. I know also that our program is far from perfect. With this in mind, I have recently appointed a Presidential Task Force on International Development, charged with proposing new approaches to aid for the 1970s.

One fundamental question must be faced as Congress prepares to vote on this issue: will we in the United States live out our lives in comparative affluence, while denying reasonable help to those who are our neighbors in the world community and who are struggling to help themselves achieve a better life? To enable us to answer this question positively, I have requested \$2.7 billion—the smallest request in the history of the U.S. aid program but an amount vitally needed to maintain our relationship with the developing world.

In addition to the reforms already cited, I have made other recommendations that call for new commitments by the Federal government, and offer more hopeful avenues of progress than the paths of the past.

Specifically, I have asked Congress to:

- establish a national computer Job Bank, which would enable the unemployed and the employer to come together through a computer matching system. The bank would have "branches" in every major labor market in the country. No longer would men have to go without work solely because they did not know where to find jobs.

- commit this country to the most extensive improvement of the Nation's air facilities in history. Under this program, the annual Federal appropriation for improving air facilities will rise from \$93 million a year—the average of the last decade—to \$250 million annually over the next decade. I have proposed further aid for airport development of \$2.5 billion in Federal funds in the next ten years to be matched dollar-for-dollar by the States and local governments. This will mean an added \$5 billion in funds for airport development. It will mean a running start on the national effort to build for the doubling of airline traffic expected by 1975 and its tripling by 1980.

- commit this country to the redevelopment of the nation's deteriorating public transportation system by providing an unprecedented measure of Federal support. In the six-year period ending with fiscal 1970, some \$800 million will have been authorized by Congress to aid the nation's deteriorating public transit industry. I have proposed raising that commitment to \$3.1 billion over the next five years and to a total of \$10 billion over the next twelve.

- enact the most extensive improvements in the Federal-State unemployment system in a decade, with coverage extended to an additional 4.8 million workers, mostly low-income, with an automatic extension of benefits to workers during times of high unemployment.

- enact the strongest mine health and safety bill in history, one which empowers the Secretary of the Interior to upgrade the health and safety standards for coal mines as the technology develops.

- establish a national occupational health and safety board, with power to set standards to protect workers.

- empowers the Equal Employment Opportunity Commission to bring suit in a Federal District Court to enforce federal laws against discrimination.

- ban literacy tests as a prerequisite for voting throughout the United States.

#### NEW INITIATIVES

**THE HUNGRY.** For many years in this richest of societies, we have heard rumors of malnourished children and hungry men and women. Now we know these rumors are true. This realization has prompted us to a commitment—that we eliminate every vestige of hunger and malnutrition from America. I have asked Congress to help us assure that every American family can have a nutritionally complete diet; I have asked that the poorest members of our national community be provided with food stamps free of cost.

The Senate has shown a willingness to join in this commitment and has acted with dispatch. I urge the House to move so as not to prolong any further the day when the ancient curse of malnutrition and hunger is eliminated in this most modern of nations.

**POPULATION.** There is a widely-recognized correlation between population growth and poverty in the under-developed nations of the world. I have asked Congress to support our endorsement of those individuals and organizations seeking voluntary answers to this global question in other lands.

To approach this question as it applies at home, I have called on Congress to create a national commission to undertake now a study of how the nation is to provide for the 100 million new Americans expected before the turn of the century.

Beyond this, I have asked that a new philosophy become American government policy. We will interfere with no American's freedom of choice; we will infringe upon no one's religious convictions; but we shall not deny to any American woman the family planning assistance she may desire but cannot afford. That is the goal I ask Congress to support.

#### THE CONTROL OF CRIME

There is no greater need in this free society than the restoration of the individual American's freedom from violence in his home and on the streets of his city or town. Control and reduction of crime are among the first and constant concerns of this Administration. But we can do little more unless and until Congress provides more tools to do the job. No crisis is more urgent in our society. No subject has been the matter of more legislative requests from this Administration. Yet, not a single one of our major recommendations on crime has been acted upon favorably. I have not even received yet the budget appropriation for the Department of Justice for this fiscal year which is three months old. In light of the rising crime statistics in the country—and in the nation's capital—I again call upon Congress to become a full-fledged ally in this national campaign.

**ORGANIZED CRIME.** To intensify the national effort against organized crime, I have asked for an arsenal of new legal weapons:

- a doubling of existing resources for the organized crime effort;

- authority for Justice Department agents to enter any community and shut down large-scale gambling operations;

- a modern general witness immunity statute under which witnesses in Federal criminal cases could be compelled to testify under threat of a prison sentence for contempt;

- finally, because organized crime would shrivel up without its enormous gambling resources, and because illegal gambling on a large scale cannot go on without cooperation of corrupt law enforcements, I have asked Congress to make corruption of local authorities who are tied in with such gambling operations a Federal crime. I must stress the great urgency of these measures. Let the Congress act—now.

**D.C. CRIME.** To deal with the increase in crime in the District of Columbia I have asked for an expansion and strengthening of the entire system of law enforcement and criminal justice, including a fundamental reorganization of the courts. I have stressed the urgent need for more police, more judges, more prosecutors, more courtroom space, a new public defender's office, better penal and rehabilitation facilities and reform in the procedures for dealing with juvenile offenders. Crime in the District of Columbia continues to rise to new records with each month. We cannot contain or control it with existing resources; we need more men and money; we need a speedier trial system and, as important as any other measure, the power to keep hard-core criminal repeaters in the District of Columbia off the streets, so they are not committing five and six crimes before they are ever brought to trial. The Congress should act—now.

**NARCOTICS.** In the Federal effort against the illicit narcotics trade, I have submitted a major revision of all Federal narcotics laws and requested more men and money to deal with a problem that long ago outstripped the capacity of government at every level. Existing manpower and resources are stretched to their elastic limits—they are demonstrably inadequate. We have to have the cooperation of Congress to attack this terrible problem. Let's get at it—now.

**PORNOGRAPHY.** To prevent the use of the nation's postal system for the mailing of unsolicited sex-oriented materials to



families that do not want the material and to children to whom it might do psychological harm. I offered three legislative proposals that will protect American citizens from the bargages of the filth peddlers, and will also be consistent with the decisions of the U.S. Supreme Court interpreting the First Amendment. These bills are still in Congress. I ask that they be promptly enacted.

These are among my major legislative proposals in these first nine months in office. I believe they speak directly to the needs of a nation in distress. I can see no legitimate reason why—with good will and cooperation between us—we cannot make the great majority of these urgently needed programs law before the end of the year. We should have all of them—as well as the others now pending—on the statute books well before the Ninety-First Congress enters the history books.

To that end, I again pledge the cooperation of this Administration.

RICHARD NIXON.

THE WHITE HOUSE, October 13, 1969.

The PRESIDING OFFICER. Is there further morning business?

#### EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

##### PROPOSED RAILROAD SAFETY AND RESEARCH ACT OF 1969

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize the Secretary of Transportation to prescribe rules, regulations and performance and other standards as he finds necessary for all areas of railroad safety and to conduct railroad safety research (with accompanying papers); to the Committee on Commerce.

##### PROPOSED HEALTH COST EFFECTIVENESS AMENDMENTS OF 1969

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Social Security Act to provide for a number of cost controls under the medicare, medicaid, and maternal and child health programs (with accompanying papers); to the Committee on Finance.

##### REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the cost reduction and management improvement program in selected departments and agencies, dated October 15, 1969 (with an accompanying report); to the Committee on Government Operations.

##### REPORT OF CLAIMS SETTLED BY THE GENERAL SERVICES ADMINISTRATION

A letter from the Assistant Administrator for Administration, General Services Administration, transmitting, pursuant to law, a report showing claims settled by the Administration under the Military Personnel and Civilian Employees' Claims Act of 1964, for the fiscal year ended June 30, 1969 (with an accompanying report); to the Committee on the Judiciary.

##### PROPOSED LEGISLATION RELATING TO COUNTERFEITING OF POSTAGE METER STAMPS OR OTHER IMPROPER USE OF METERED MAIL SYSTEM

A letter from the Postmaster General, transmitting a draft of proposed legislation to amend sections 501 and 504 of title 18, United States Code, so as to strengthen the law relating to the counterfeiting of postage meter stamps or other improper uses of the metered mail system (with an accompanying paper); to the Committee on Post Office and Civil Service.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MONTTOYA, from the Committee on Appropriations, with amendments:

H.R. 13763. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1970, and for other purposes (Rept. No. 91-479).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, with an amendment:

H.R. 11702. An act to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes (Rept. No. 91-480).

#### BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. GOLDWATER (for himself, Mr. FANNIN, Mr. MURPHY, and Mr. TOWER):

S. 3038. A bill to authorize appropriations for expenses of the U.S. section of the United States-Mexico Commission for Border Development and Friendship; to the Committee on Foreign Relations.

(The remarks of Mr. GOLDWATER when he introduced the bill appear later in the RECORD under the appropriate heading.)

Mr. DOLE (for himself, Mr. BURDICK, Mr. HARRIS, Mr. MUNDT, Mr. TOWER, and Mr. YOUNG of North Dakota):

S. 3039. A bill to provide that certain highways extending from Laredo, Tex., to the point where U.S. Highway 81 crosses the border between North Dakota and Canada shall be known collectively as the Pan American Highway; to the Committee on Public Works.

(The remarks of Mr. DOLE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MUSKIE:

S. 3040. A bill for the relief of Wacław Janusz Ezeszotarski; to the Committee on the Judiciary.

By Mr. GRAVEL:

S. 3041. A bill to provide for the settlement of certain land claims of Alaska Natives, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GRAVEL (for himself, Mr. RANDOLPH, and Mr. MUSKIE):

S. 3042. A bill to provide for a study and evaluation of the air and water pollution and other environmental effects of underground uses of nuclear energy for excavation and other purposes; to the Committee on Public Works.

(The remarks of Mr. GRAVEL when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. SCOTT:

S. 3043. A bill to authorize the release of 4,180,000 pounds of cadmium from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

(The remarks of Mr. SCOTT when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. YARBOROUGH:

S. 3044. A bill declaring a public interest in the open beaches of the Nation, providing for the protection of such interest, for the acquisition of easements pertaining to such seaward beaches and for the orderly management and control thereof; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. YARBOROUGH when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. HRUSKA:

S. 3045. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to modify the provisions relating to dis-

cretionary grants to the States, to limit the Law Enforcement Assistance Administration to one block grant per State per year from 85 percent funds, and to provide authorization of appropriations for fiscal year 1971; to the Committee on the Judiciary.

(The remarks of Mr. HRUSKA when he introduced the bill appear later in the RECORD under the appropriate heading.)

#### S. 3038—INTRODUCTION OF A BILL AUTHORIZING APPROPRIATIONS FOR THE UNITED STATES-MEX- ICO COMMISSION FOR BORDER DEVELOPMENT AND FRIENDSHIP

Mr. GOLDWATER. Mr. President, it is a pleasure for me to introduce a bill today on behalf of myself and many other Senators who wish to extend the life of an organization whose continued existence is vital to preserving the special relationship between the United States and our great sister nation to the south, Mexico.

Our bill will provide the statutory authority that is necessary to enable our Government to continue its participation in the joint United States-Mexico Commission for Border Development and Friendship. The friends of this organization call it CODAF, and that is how I will refer to it throughout these remarks.

CODAF was founded at the highest levels of the Governments of Mexico and the United States. It developed out of an agreement issued by the Presidents of the two inter-American countries following their meeting in April of 1966. At that time they decided the two nations would create a joint commission to find ways by which they could "improve the relations between the frontier cities of both countries" and also "elevate the life of those who live in the border region."

Pursuant to this agreement, two sections were set up by the respective Governments and the Commission got underway in July of 1967. The U.S. Section is composed of the Chairman and 10 Commissioners who are appointed from the Assistant Secretary level of eight major departments and three executive offices.

In addition to the Commissioners, there is a small staff serving in Washington and in three field offices located close to the citizens of the border region.

During its 2 years of existence, the U.S. Section has been funded by contributions and services from its member agencies. This means of funding was shut off, however, last year with the passage of Public Law 90-479. This law bars the financing of executive commissions unless they possess some kind of enabling legislation.

Thus, CODAF is without authority to receive further funding under present law and unless there is prompt action to remedy this situation, it will simply have to fold up.

Mr. President, to allow CODAF to disappear would be sheer folly and blindness. The failure to authorize a renewed charter for this organization would be to renege on the commitment made by the Chief Executive of the United States to the American citizens living on the border, would discourage the formation of the very useful parallel programs of border communities, would permit a large

number of problems to stand unsettled without any joint forum for the interchange of ideas, and would seriously injure U.S. efforts to keep our relations "simpatico."

Mr. President, in an earlier speech in the Senate on this subject, I traced the brief history of CODAF and summarized the very important role it plays on the inter-American stage. I mentioned the fact that it is charged with elevating the economic, social and cultural life of the peoples in the border area—and I would like to emphasize that this is no small matter.

The border between our two nations stretches across some 2,000 miles of territory and encompasses over 5 million persons.

Mr. President, in my opinion, the primary achievement of CODAF has been its success in stimulating the people on the border to focus their attention—even more than they have in the past—on developing and implementing programs for cooperative action, based on joint community needs, as voiced in the community, to solve their problems.

This has been achieved through the working groups of CODAF which hold meetings in the border communities where they listen to the local citizens. In turn, the full Commission receives recommendations from the working groups before approving its own suggestions for border programs.

Speaking as a person who has lived on the border all his life, I want to vouch for the fact that CODAF has done an outstanding job in such a short time. In fact, to my own mind, it is deserving of a permanent legislative base.

But, in order to assure that its difficulty will receive the earliest possible consideration in the most favorable light, we are offering a bill to extend its term for only the current fiscal year. This should be susceptible of receiving the broadest possible support by those who may wish to review the specific features which they would like to see incorporated in a permanent-type statute.

Our measure would authorize a sum of not more than \$362,000 to cover the administrative costs of the U.S. Section for the 1970 fiscal year. This conforms with the bare-bones request made by the U.S. Chairman.

Mr. President, in introducing the bill I certainly shall not claim any pride of authorship. The text of the bill is identical to legislation introduced in the House of Representatives by the gentleman from Florida, Mr. FASCELL.

We are submitting a Senate version of the proposal in order to generate a movement in this Chamber by those who support CODAF. I was pleased to submit a statement to the House Subcommittee on Inter-American Affairs endorsing the measure when it was before that group—it now has been reported favorably by the full House Foreign Affairs Committee—and it is an honor for me to join today with my distinguished colleagues in the introduction of a Senate companion to that measure.

Mr. President, I urge that this measure be given prompt consideration in the Senate Foreign Relations Committee and I hope that Members from all

regions of the country will join us in the cause of keeping CODAF alive.

Mr. President, I ask unanimous consent that there be printed at the end of my statement the text of the bill we are introducing, the Executive communications by Presidents Nixon and Johnson relative to their support of CODAF and a summary I have prepared of 16 major accomplishments of this organization.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the communications, the summary, and the text of the bill will be printed in the RECORD.

The bill (S. 3038), to authorize appropriations for expenses of the United States section of the United States-Mexico Commission for Border Development and Friendship, introduced by Mr. GOLDWATER (for himself and other Senators), was received, read twice by title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

#### S. 3038

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated not to exceed \$362,000 for the fiscal year 1970 for the expenses of the United States section of the United States-Mexico Commission for Border Development and Friendship, which Commission was established by an exchange of notes between the Government of the United States and the Government of Mexico in November and December 1966, pursuant to a meeting between the Presidents of the two countries in April 1966.

The material furnished by Mr. GOLDWATER is as follows:

#### THE WHITE HOUSE,

Washington, September 10, 1969.

Hon. JOHN W. MCCORMACK,  
Speaker of the House of Representatives.

DEAR MR. SPEAKER: On December 3, 1966, the United States completed an agreement with Mexico to create a "Joint Commission between the United States of America and the United Mexican States to study the manner in which the standard of living of United States and Mexican communities in areas along the border between our two countries could be raised by means of cooperative action." It was further agreed that the salaries of the Commissioners and their advisers would be paid by the Government by which they were appointed and other expenses of the Commission would be divided equally between the two Governments.

This agreement, reached through an exchange of diplomatic notes, was made in accordance with an agreement expressed by the then President of the United States, Lyndon B. Johnson, and the President of Mexico, Gustavo Diaz Ordaz, following their meeting in Mexico City in April 1966.

Subsequently, President Diaz Ordaz has on numerous occasions expressed his continued interest in what has become the "United States-Mexico Commission for Border Development and Friendship." In addition, the Government of Mexico, through its Secretary of Foreign Relations Antonio Carrillo Flores and other high-ranking officials, has indicated that Government's desire to continue with the work of this Joint Commission.

I, too, favor the continuance of the Commission. Numerous local officials in the border area have expressed a strong support for the Commission, as well as such prestigious private institutions as chambers of commerce and the American Institute of Architects.

In the short 2 years this Commission has

been operating, much groundwork has been laid and some very concrete accomplishments give us insight into the future potential of this Commission. To stop now would not only be damaging to the future development of the border area, but it would result in a waste of the time, effort, and money already invested in studying the problems of the area.

The proposed resolution which the State Department sent to Congress on May 21 of this year and which was referred to the House Foreign Affairs Committee on May 22, has not been acted upon.

Should the Congress fail to authorize this Commission to continue, it would amount to a unilateral revocation of a commitment we have made to the Government and people of Mexico. We would also be remiss in our obligations and responsibilities to our own people in the economically depressed border area.

For these reasons, I strongly urge prompt action on the proposed authorizing resolution and provision of sufficient funds to cover the modest expenses of the U.S. Section of the United States-Mexico Commission for Border Development and Friendship.

Sincerely,

RICHARD NIXON.

JULY 2, 1968.

DEAR MR. —: Congress now has an opportunity to reaffirm the abiding friendship that is maintained between the United States and her neighboring sister republic, Mexico.

Prompt action will also encourage and stimulate the efforts of the two nations to improve the opportunities of the people living on both sides of the 2,000-mile long border.

The bill would establish the United States Section of the United States-Mexico Commission for Border Development and Friendship.

This bill would give Congressional recognition and endorsement to the April 1966 decision of the President of the United States and the President of Mexico to set up the joint Commission and would also provide a statutory foundation for the activities of the United States Section of that Commission. The United States Section now includes representatives at the Assistant Secretary level or above of nine Federal agencies and the Chairman of the Inter-Agency Committee on Mexican American Affairs.

I met with President Gustavo Diaz Ordaz in Mexico City in April 1966 to review the problems along our border. We decided then to establish a Commission to study ways and means of improving relations between border communities and of elevating the economic, social and cultural life of the people in the entire border area. Our decision was formalized through an exchange of notes on November 30 and December 3, 1966.

The first session of the Commission was held in Mexico City in October 1967. Fourteen working groups were established to explore and find solutions for the primary problems facing both countries in the border area. Another meeting of the Commission was held in Washington, D.C., in May of this year to review progress of the working groups and give them further directions.

Already there have been concrete results from this effort. Some of these are as follows:

1. A formal mechanism for cooperative action has been created to deal with future emergencies or natural disasters in the border area.
2. Pilot joint community service centers are being established on both sides of the border to provide basic community services, including mobile out-reach services, to the lower income groups of both countries.
3. Agreement was reached to establish a joint demonstration skill training center to assist the unemployed and underemployed



on both sides of the border and improve their capability to obtain employment.

4. An industrialization study is now underway to determine the possibility of creating new industries and jobs on the U.S. side of the border in order to relieve unemployment and to help expand the tax base of border communities.

5. The already excellent working relationships in the field of health are being further strengthened, especially in the fields of mother and child nutrition and of training auxiliary health personnel.

6. A joint workshop was held in Laredo-Nuevo Laredo to discuss mutual urban problems and to seek mutual solutions. Similar workshops are planned for other twin cities on the California, Arizona, New Mexico, and Texas border with Mexico.

These are a few examples of the accomplishments of the Commission, which has provided a focal point for the interested agencies of both governments in coordinating their efforts to solve the problems of the border area.

When the Commission was first formed, the United States suggested it carry the name "Border Development Commission." Mexico accepted this, but suggested that the word "Friendship" be included in the title. Indeed, the strengthening of friendly ties not only between the officials and technicians of the two governments, but also between the people of our two countries, has been a primary aim and achievement of the Commission's activities to date.

The passage of this bill will be a concrete indication to the Mexican Government of the full backing for this endeavor by the United States Government. I urge prompt action by the Congress on this legislation.

Sincerely,

LYNDON B. JOHNSON.

THE WHITE HOUSE.

#### SIXTEEN MAJOR CONTRIBUTIONS OF CODAF

1. CODAF drafted the first formal agreement ever entered into between Mexico and the United States dealing with cooperative action in case of emergencies and natural disasters in the border area. This agreement was put into effect at the second joint meeting of CODAF.

2. For the first time in history, local, State, and Federal technicians from both sides of the border have been brought together to consider the twin border cities in a "single community" context. The Urban Development Working Group of CODAF has sponsored successful meetings in four of the twin border cities, and five more joint urban development workshops are scheduled.

3. The United States Section of CODAF has assisted in the development of a pilot program in which 80 "roundhouses," to sell for a maximum of \$5,000, are being constructed in Del Rio, Texas. The Mexican Section has expressed interest in this approach to obtaining low-cost housing in border cities and is considering a similar undertaking on its side of the border.

4. CODAF has stimulated discussions with Mexico which have led to collaboration on the forthcoming American and Mexican 1970 census to guarantee collection of comparable data.

5. The Transportation Working Group of CODAF has initiated discussions—

(A) for the development of joint transportation planning in the Brownsville-Matamoros area,

(B) for the location of a new bridge in Laredo,

(C) for the coordination of plans for building highways in the border area, and

(D) for the adoption of a uniform system of traffic signs in the border area.

6. The United States Section has obtained the publication of a major study relative to the special economic and social characteristics of the border as they relate to industrialization. This report, entitled "In-

dustrial and Employment Potential of the United States-Mexico Border," was published in December, 1968. For its part, Mexico has a program for industrialization of the border zone well underway.

7. CODAF is about to achieve a significant breakthrough by arranging the establishment of a joint labor market and skill survey all along the border. As the first step towards this goal, the Manpower and Labor Working Group has initiated a pilot survey that has been conducted on both sides of the border at the El Paso-Ciudad Juarez, Chihuahua area.

8. CODAF has proposed an imaginative scheme for the designation of a network of roads and highways along both sides of the border, to be known as the "Border Friendship Route." All four of our border States have approved designation of this route and the implementation of this concept is now being considered by the Tourism Working Group.

9. The Education Working Group scheduled a joint conference on the accreditation of university level studies which was held at the twin border cities of Ciudad Juarez, Chihuahua-El Paso, Texas, in April, 1969. Approximately 30 educators from each country, representing universities, college accrediting associations, and the two Governments attended the conference.

10. The Education Working Group is seeking to inaugurate a pilot project for the exchange of high school language teachers between the cities of El Paso and Ciudad Juarez.

11. A Binational Sanitary Landfill Project has been established for Nogales, Arizona-Nogales Sonora. This project originated with the Public Health Working Group, was approved by the Mexican authorities and has been funded by the U.S. Public Health Service.

12. The Cultural Activities Working Group has recommended that CODAF promote conferences, workshops, and competition in the arts in the border area, and that two pilot cultural projects be established in twin border cities. United States and Mexican authorities have already set in motion the initial steps which will lead towards the creation of a national committee in each country, and local coordinating groups in the border communities, to act as mechanisms for carrying out joint cultural programs.

13. A CODAF-sponsored pilot project has been established for Laredo, Texas, by which five mobile trailer vans devoted to theatrical productions, recreation, educational and cultural films, history, and health services, will make scheduled visits to neighborhood centers in and around Laredo, to rural communities in Webb County and Nuevo Laredo, Tamaulipas, across the border.

14. A similar CODAF-supported binational project is the Calexico, California, Community Services Project. This project includes a multi-service cultural unit, a vocational training electronics unit, and a mobile health services unit. As its contribution to this project, Mexico has purchased \$83,000 worth of industrial equipment for CECATI, a vocational training institute in Mexicali, Baja California, which will be made available to U.S. trainees.

15. An adult education demonstration project, with CODAF participation, is in operation in a five-county area of Arizona. This project utilizes radio and a closed circuit mobile television unit to bring practical education courses to people in a widespread rural area.

16. CODAF has sponsored two annual "Border Beauty and Friendship Days," which were held on May 18, 1968, and April 19, 1969. The results of these events have been so encouraging that both United States and Mexican officials have concluded that border beautification efforts should be carried out on a continuing basis and that the day shall be established as an annual ceremony.

#### S. 3039—INTRODUCTION OF A BILL TO DESIGNATE CERTAIN HIGHWAYS AS THE "PAN-AMERICAN HIGHWAY"

Mr. DOLE. Mr. President, today I am introducing a bill which will neither ask the Federal Government to authorize nor appropriate any of its funds. My bill today is a promotion of good will with our neighbors to the south.

This proposal will provide that certain highways extending from Laredo, Tex., to the point where U.S. Highway 81 crosses the border between North Dakota and Canada shall be known collectively as the Pan American Highway.

The highway, which already crosses the United States from Canada to the Mexican border, largely follows U.S. Highway 81 with some minor variances. If created, it would connect with the Pan American Highway which begins at Laredo, Tex., and extends to Panama.

In the past several years there has been growing interest in several Plains States concerning the development of an intercontinental highway linking Canada, the United States, and Latin American countries. Organizations in many States have been working in unison for years to promote this idea, with a convincing argument being made on the basis of economic benefits to be derived from its creation, as well as various other advantages.

Mr. President, several of my colleagues from States through which this hemispheric good will highway would pass, have joined me as cosponsors of this proposal: Senator YOUNG of North Dakota, Senator MUNDT of South Dakota, Senator BURDICK of North Dakota, Senator Tower of Texas and Senator HARRIS of Oklahoma.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD following these remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD as requested by the Senator from Kansas.

The bill (S. 3039) to provide that certain highways extending from Laredo, Tex., to the point where U.S. Highway 81 crosses the border between North Dakota and Canada shall be known collectively as the "Pan American Highway"; introduced by Mr. DOLE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 3039

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That (a) for the purpose of any law, regulation, map, document, record, or other paper of the United States, those highways which extend from Laredo, Texas, to the point where United States Highway 81 crosses the border between North Dakota and Canada and which are listed in subsection (b) of this section shall be known collectively as the "Pan American Highway".*

*(b) (1) Except as provided in paragraph (2), the highways which shall be known collectively as the "Pan American Highway", and the cities between which such highways extended, are as follows:*

*Highways: Interstate System Highways 35,*

35E, 35W, 235, and 29; United States Highways 81, 77, and 377; and Nebraska Highway 92.

Extending from south to north between the following cities: In the State of Texas, the following cities: Laredo, San Antonio, Austin, Waco, Fort Worth, Dallas, Denton, and Gainesville; in the State of Oklahoma, the following cities: Ardmore, Pauls Valley, Oklahoma City, and Guthrie; in the State of Kansas, the following cities: Wichita, Newton, Lindsborg, Concordia, and Belleville; and in the State of Nebraska, the following cities: Geneva, York, Columbus, and Norfolk; in the State of South Dakota, the following cities: Yankton, Madison, Brookings, and Watertown; in the State of North Dakota, the following cities: Wahpeton, Fargo, Grand Forks, Drayton, and Pembina.

(2) If more than one of the highways listed in paragraph (1) extend between any two points between any two of the cities listed in that paragraph which are not separated by any other city listed in that paragraph, the Secretary of Commerce shall designate which of those highways shall be included in the group of highways to be collectively known as the "Pan American Highway".

**S. 3042—INTRODUCTION OF A BILL TO PROVIDE FOR A STUDY AND EVALUATION OF THE AIR AND WATER POLLUTION AND OTHER ENVIRONMENTAL EFFECTS OF UNDERGROUND USES OF NUCLEAR ENERGY**

Mr. GRAVEL. Mr. President, I introduce today (on behalf of myself, Mr. RANDOLPH, and Mr. MUSKIE) for appropriate reference, a bill to provide for the study and evaluation of the air and water pollution and other environmental effects of underground uses of nuclear energy for excavation and other purposes.

This measure would create a 15-man study commission composed of leading scientific experts. They would evaluate the environmental risks attendant upon the use of underground nuclear energy and report their findings to the President and the Congress within a year.

The people of our Nation are more concerned about the environment than they have ever been. We in the Congress are continually investigating the known and suspected hazards related to automobile exhausts, industrial wastes, pesticides, and numerous other areas of pollution. Certainly we should give no less study to a pollutant—radioactivity—that is more deadly than all other scourges, and a menace which, once created by man, cannot be destroyed.

Another area of environmental danger related to underground testing is that of the seismic effects of the tests.

If there is an area of agreement among the scientific community concerning underground nuclear testing it is that no one really knows what effects such tests have on the earth's crust. The larger tests now being planned by the Atomic Energy Commission in my State of Alaska, and in Nevada and possibly other locations around the Nation present a risk to life and property. No one in a responsible position in our Government or who is a recognized leader in any scientific discipline can say with assurance what the risk will be. We are tampering in a field that we know little

about. And the consequences of failure could be enormous.

This bill is timely in that it attacks a problem which is presently before this Congress in various forms—environmental hazards. This bill attacks areas of concern upon which far more study and evaluation is needed. The pressure for broadening the underground test program and increasing the applications for nuclear energy is intense. How will the President and the Congress make such decision without adequate scientific testimony.

An independent review by eminent scientists who are not presently on the payroll of the Federal Government and who are not otherwise contracted to the Government in this particular field of endeavor, would provide us with such an evaluation of the potential hazards and hopefully produce some solid ideas for guidelines and remedies.

None of us wants to unnecessarily impair the national defense effort. None of us wants to withhold from our society the practical benefits that nuclear energy can possibly produce. But neither do we want to look back 5 or 10 years from now and recognize that our decisions presented civilization with great dangers, that we were responsible for endangering man and his environment for lack of adequate study and evaluation before such decisions were made.

I think this is a modest proposal that could produce significant benefits and I would urge its early review by the Public Works Committee.

Therefore, Mr. President, I introduce this measure and urge its passage.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3042) to provide for a study and evaluation of the air and water pollution and other environmental effects of underground uses of nuclear energy for excavation and other purposes; introduced by Mr. GRAVEL (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. RANDOLPH. Mr. President, I congratulate the Senator from Alaska (Mr. GRAVEL) on his creative initiative and leadership in the effort to protect our Nation, and indeed the world, from the incalculable potential dangers involved in underground nuclear explosions. He has been at the forefront in expressing national concern over the possible disaster attendant to the recent nuclear test on Amchitka Island in Alaska. Today he has introduced a well-reasoned proposal for a Presidential Commission to examine and evaluate the risks to man and his environment of using nuclear energy beneath the earth's surface.

One of the features of this proposal which seems especially important, refers to the use of nuclear power to lower or eliminate natural barriers that separate different marine ecosystems, such as could occur in the event a new inter-oceanic canal were constructed between the Caribbean and the Pacific. It is essential that there be a full understanding of the ecological effects of such a pro-

posed canal, particularly, what might happen to marine life when a new predatory species from one body of water invades and attacks vulnerable organisms in the other. The implications for the fishing industry raise a cautionary cry.

If time and the pressure of work permit, I would hope that Members of the Public Works Committee could conduct field examinations of how this and other proposed applications of nuclear energy could adversely affect or endanger our environment.

I am gratified to join with the Senator from Alaska, as a cosponsor of this bill. As chairman of the Committee on Public Works to which the bill has been referred, I assure my diligent colleague that I will give it priority on the committee agenda. In consultations with Senator GRAVEL, a member of our committee, I have indicated that the bill will be referred to the Subcommittee on Air and Water Pollution, under the able chairmanship of Senator EDMUND S. MUSKIE. It is our expectation that public hearings will be scheduled in the near future.

Mr. MUSKIE. Mr. President, I was pleased to join with the distinguished Senator from Alaska (Mr. GRAVEL) in introducing a bill to improve our understanding of the air, water, and land pollution problems associated with underground use of nuclear energy.

I share the Senator's concern with the environmental pollution which may be associated with the new technology of the underground uses of nuclear energy.

The Subcommittee on Air and Water Pollution, of which I am chairman, has been concerned in the past with pollution associated with the release of radioactive material into the environment.

In 1966, the subcommittee held hearings on radioactive water pollution in the Colorado River Basin. We wanted to be sure that effective environmental control accompanied the greater handling and disposal of radioactive wastes as the peaceful uses of nuclear energy increased. The mines producing radioactive wastes now number nearly 400, and there are about 20 mills in operation.

The subcommittee has also held hearings on the extent to which environmental factors are considered in selecting powerplant sites, with particular emphasis on the ecological effects of the discharge of waste heat from nuclear powerplants into our rivers, lakes, and coastal waters. When the production capacity of nuclear power facilities reaches 41.5 million kilowatts of power in 1974, the discharge of waste heat without proper treatment could be disastrous.

Early this month the United States set off a one-megaton underground explosion on the small Aleutian Island of Amchitka near the State of Alaska.

At the same time that the United States is conducting its underground nuclear testing program, the application of nuclear activity for excavation is being explored. One of the major goals of the Plowshare program is the excavation of a sea-level canal across the Isthmus of Panama.

The Atomic Energy Commission is studying the broader uses of the atom for the exploitation of new oil and gas re-



serves and for the construction of new harbors and channels.

It is clear from hearings on the subject that the subcommittee has already held that there is too little evidence available to the public about the environmental effects associated with the peaceful uses of nuclear energy. Too much of the information on environmental effects which is available has been developed by and for the Atomic Energy Commission rather than by independent, environmental agencies.

We have long passed the time when we should expect Federal agencies to evaluate adequately the environmental effects of their own activities.

The Commission proposed by Senator GRAVEL is one method of assuring independent evaluation. I would hope that the Office of Environmental Quality proposed in H.R. 4148 as passed by the Senate would assist in this function. Also, I would hope that existing Federal agencies with environmental expertise would participate in any decision which would tend to increase the release of radioactive activity into the environment.

Because this bill would enable the Nation to develop a better understanding of the air, water, and land pollution questions which must be considered as we develop the full potential of the peaceful atom, the subcommittee will hold hearings on it at an early date. These hearings should be helpful in determining the most appropriate mechanism to review the potential air, water, and land pollution effects of the peaceful uses of nuclear energy.

#### S. 3043—INTRODUCTION OF A BILL TO AUTHORIZE THE RELEASE OF CADMIUM FROM THE NATIONAL STOCKPILE

Mr. SCOTT. Mr. President, I introduce for appropriate reference, legislation to authorize the release of 4,180,000 pounds of cadmium from the national and supplemental stockpiles. I am advised by the General Services Administration that this amount of cadmium, currently held by the Federal Government, is excess not now needed for stockpile purposes. It is, however, urgently needed for domestic industrial use not only in my Commonwealth of Pennsylvania, but in plants throughout the Nation. The purpose of my bill is to provide the authorization which will enable the GSA to make this material available.

Cadmium, a byproduct derived almost entirely from the processing of zinc ores, is used in this country primarily for electroplating and metal finishing in such vital segments of the economy as the automobile, appliance, and aerospace industries. About 40 percent of U.S. cadmium consumption has this usage. Cadmium also is important in the production of chrome-color paints and pigments, and in the manufacture of special tools and dies, industrial molds, electrical fuses, and storage batteries.

The Metal Finishing Suppliers Association, Inc., and the National Association of Metal Finishers, national organizations with extensive corporate representation in Pennsylvania, have re-

ported that employment in my Commonwealth, and elsewhere, is seriously threatened by the continuing cadmium shortage. My bill will help provide relief that is badly needed, and needed now.

Mr. President, this bill does not require the expenditure of Federal funds. All existing safeguards for the protection of the Federal Government against avoidable loss, and the protection of producers, processors, and consumers against the avoidable disruption of their usual markets, would be preserved. Therefore, this bill would result in a return to the Treasury of the entire amount to be realized from the sale of this excess material, which is currently valued at approximately \$14 million. Moreover, since the domestic cadmium industry now depends to a great extent on imported materials, the enactment of my bill would have a favorable impact on our balance-of-payments position.

Mr. President, I am persuaded that there is a compelling need for action on this legislation. I urge prompt and favorable consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3043) to authorize the release of 4,180,000 pounds of cadmium from the national stockpile and the supplemental stockpile, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Armed Services.

#### S. 3044—INTRODUCTION OF THE NATIONAL OPEN BEACHES ACT

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill declaring a public interest in the open beaches of the Nation, providing for the protection of such interest, for the acquisition of easements pertaining to such seaward beaches, and for the orderly management and control thereof.

In recent years fences and barricades have blocked the public right to have access to our seas. We are becoming a landlocked people, fenced away from our own beautiful shores, unable to exercise the ancient right to enjoy our precious beaches. This tragic encroachment on the right to use our beaches has so shackled the public that today 95 percent of our recreational shoreline is barricaded to keep the people out.

Mr. President, we must preserve our beaches and protect the rights of the people to use them. These beautiful stretches of sand serve as the transition point between the seas and the land on which we live. They are natural resources, which rightfully belong to the people. Traditionally Americans have gone to the shoreline to relax, to play, to fish, to meditate, and to enjoy their beaches. Many have relied on these beaches for their access to the sea in order to support their families through commercial fishing. This ancient and well-established public right must be legally asserted and protected. That is the purpose of this bill.

It is my privilege and pleasure, therefore, to introduce the National Open Beaches Act, which has been introduced

in the House of Representatives by my distinguished colleague and fellow Texan, Congressman BOB ECKHARDT, of Houston. This bill declares that the public shall have free and unrestricted right to use the beaches of the United States and further declares that Congress shall constitutionally protect this right. It prohibits fences, barriers, and any other restraints on the use of the beaches by the public.

An important aspect of the bill is that it provides for a joint effort between the Federal Government and the States in protecting the public beaches. Several States, including Alabama, California, Florida, Maine, Massachusetts, Oregon, and my own State of Texas have statutes concerning public right to the beaches. But it has been difficult for them to clearly establish that right in the courts. This bill defines that right and provides that the Federal Government will aid individual States in maintaining public jurisdiction.

The bill calls for a Federal-State partnership making available to any State interested in establishing a public right to the beaches the legal, geodetic, and historical research facilities of the Federal Government. States are encouraged through the bill to establish by law the public right to access to the beaches. The State is also encouraged to condemn rights-of-way, or easements, to those beaches which must be purchased from the landowner. The Federal Government will provide up to 75 percent of the costs of acquiring such easements, and may condemn the land so long as the State provide its 25 percent share of the funds.

Two important conditions must be considered concerning our beaches. First, they have been traditionally used by the public for recreational purposes and for commercial fishing. Second, title rights have not been as clearly defined on shorelines as in other places. The problem involved here is not a question of one man's right against another, but of one man's boundary against a State boundary, and the question of the shoreline landowner's right against an ancient usage of the public. The bill, therefore, deals also with the settling of boundaries and title rights along our seashores.

In addition, the bill charges the Secretary of the Interior and the U.S. Attorney General with protecting the public right, and it affords certain legal benchmarks in those areas of law involved.

A Federal interest is defined, therefore, and recourse to Federal courts is permitted. The bill, however, carefully guards against any Federal limitations upon the right of the States to hold and own property. On the other hand, no Federal property will be affected by this bill; the Padre Island National Seashore and other national parks will remain park lands, administered by the National Park Service of the Federal Government.

Any Federal action supports and protects the public right and the rights of individual States; any land or rights recovered inure to the benefit of the State.

Mr. President, the National Open Beaches Act will restore to all Americans use of some beaches, rightfully theirs, but now fenced up, often in private ownership. It will bring down the barriers and barricades on publicly owned beaches that have made us a landlocked people with very little access to the shore. The bill defines the public right to the beaches, a traditional right of Roman law which was exercised all during the Middle Ages. During the oppressive days of the Spanish Inquisition the people enjoyed more freedom on their beaches than Americans do today. The Spanish brought this law of the open beaches to America with them. Under my bill the public is insured free and unrestricted use of such seashores as can be reclaimed for public use under this bill; any barrier or restraint on this free use is expressly prohibited.

Mr. President, I ask unanimous consent that the text of this bill to protect the public right to the beaches be printed in full at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3044) declaring a public interest in the open beaches of the Nation, providing for the protection of such interest, for the acquisition of easements pertaining to such seaward beaches and for the orderly management and control thereof, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

#### S. 3044

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the presence and accessibility of the sea, being a very substantial factor in the value and kind of interstate travel, and the beach being a marine resource created by the action of the sea, it is necessary and proper and promotes the public welfare to provide orderly protection of the public interest in the beaches.*

#### TITLE I

SEC. 101. Congress finds that the sea beaches of the United States are of such character as to use and potential development as to require separate consideration from other lands with respect to the elements and consequences of title in littoral owners. Such land has been treated by and large over most of its extent and during most of the time that it has been controlled by European and Anglo-American law, as a common. It has been of little use for farming, grazing, timber production, mining or residency—the traditional uses of land—but has served as a thoroughfare and haven for fishermen and sea ventures and a place of recreation for the citizenry. The elements and consequences of title in littoral owners are thus colored by these traditional uses but are not fully formulated nor precisely drawn in the laws of the several States to meet the exigencies of the present day. Congress finds that the traditional concept of the beach as a common is now being threatened by shorelines being fenced or enclosed upon assumptions not founded on clear legality.

SEC. 102. Congress declares and affirms that the beaches of the United States are impressed with a national interest and that the public shall have free and unrestricted right to use them as a common to the full extent that such public right may be ex-

tended consistent with such property rights of littoral landowners as may be protected absolutely by the Constitution. It is the declared intention of Congress to exercise the full reach of its constitutional power over the subject.

SEC. 103. No person shall create, erect, maintain, or construct any obstruction, barrier, or restraint of any nature which interferes with the free and unrestricted right of the public, individually and collectively, to enter, leave, cross, or use as a common the public beaches.

SEC. 104. (a) An action shall be cognizable in the district courts of the United States without reference to jurisdictional amount, at the instance of the Attorney General or a United States district attorney to:

- (1) establish and protect the public right to beaches,
- (2) determine the existing status of title, ownership, and control, and
- (3) condemn such easements as may reasonably be necessary to accomplish the purposes of this Act.

(b) Actions brought under the authority of this section may be for injunctive, declaratory, or other suitable relief.

SEC. 105. The following rules applicable to considering the evidence shall be applicable in all cases brought under section 104 hereof.

(1) a showing that the area is a beach shall be prima facie evidence that the title of the littoral owner does not include the right to prevent the public from using the area as a common;

(2) a showing that the area is a beach shall be prima facie evidence that there has been imposed upon the beach a prescriptive right to use it as a common.

SEC. 106. (a) Nothing in this Act shall be held to impair, interfere, or prevent the States—

- (1) ownership of its lands and domains,
- (2) control of the public beaches in behalf of the public for the protection of the common usage or incidental to the enjoyment thereof, or
- (3) authority to perform State public services, including enactment of reasonable zones for wildlife, marine, and estuarine protection.

(b) All interests in land recovered under authority of this Act shall be treated as subject to the ownership, control and authority of the State in the same measure as if the State itself had acted to recover such interest. In order that such interest be recovered through condemnation, the State must participate in acquiring such interest by providing matching funds of not less than 25 per centum of the value of the land condemned.

#### TITLE II

SEC. 201. In order further to carry out the purposes stated in title I, section 101, it is desirable that the States and the Federal Government act in a joint partnership to protect the rights and interests of the people in the use of the beaches. The Secretary of the Interior shall administer the terms and provisions of this Act and shall determine what actions shall be brought under section 104 hereof.

SEC. 202. The Secretary of the Interior shall place at the disposal of the States such research facilities as may be reasonably available from the Federal Government, and, in cooperation with the other Federal agencies, such historical, geological, geodetic, and other information and facilities as may be reasonably available for assisting the States in such protection of public rights. The President may promulgate regulations governing the work of such interagency cooperation.

SEC. 203. The Secretary of Transportation is authorized to provide financial assistance to any State, and to its political subdivisions for the development and maintenance of transportation facilities necessary in connec-

tion with the use of public beaches in such State if, in the judgment of the Secretary of the Interior, such State has defined and sufficiently protected public beaches within its boundaries by State law. Such financial assistance shall be for projects which shall include, but not be limited to construction of necessary highways and roads to give access to the shoreline area, the construction of parking lots and adjacent park areas, as well as related transportation facilities. All sums appropriated to carry out title 23 of the United States Code are authorized to be made available in an appropriations Act to carry out this section.

#### TITLE III

SEC. 301. The following terms as used in this Act shall have the following meanings:

(a) "Sea" includes the Atlantic, Pacific, and Arctic Oceans, the Gulf of Mexico, and the Caribbean and Bering Seas.

(b) "Beach" is the area along the shore of the sea affected by wave action directly from the open sea. It is more precisely defined in the situations and under the conditions hereinafter set forth as follows:

(1) In the case of typically sandy or shell beach with a discernible vegetation line which is constant or intermittent, it is that area which lies seaward from the line of vegetation to the sea.

(2) In the case of a beach having no discernible vegetation line, the beach shall include all area formed by wave action not to exceed two hundred feet in width (measured inland from the point of mean higher high tide).

(c) The "line of vegetation" is the extreme seaward boundary of natural vegetation which typically spreads continuously inland. It includes the line of vegetation on the seaward side of dunes or mounds of sand typically formed along the line of highest wave action, and, where such a line is clearly defined, the same shall constitute the "line of vegetation." In any area where there is no clearly marked vegetation line, recourse shall be had to the nearest clearly marked line of vegetation on each side of such area to determine the elevation reached by the highest waves. The "line of vegetation" for the unmarked area shall be the line of constant elevation connecting the two clearly marked lines of vegetation on each side. In the event the elevation of the two points on each side of the area are not the same, then the extension defining the line reached by the highest wave shall be the average elevation between the two points. Such line shall be connected at each of its termini at the point where it begins to parallel the true vegetation line by a line connecting it with the true vegetation line at its farthest extent. Such line shall not be affected by occasional sprigs of grass seaward from the dunes and shall not be affected by artificial fill, the addition or removal of turf, or by other artificial changes in the natural vegetation of the area. Where such changes have been made, and thus the vegetation line has been obliterated or has been created artificially, the line of vegetation shall be reconstructed as it originally existed, if such is practicable; otherwise, it shall be determined in the same manner as in other areas where there is no clearly marked "line of vegetation," as in (2), above.

(d) "Area caused by wave action" in subsection (b) (2) above means the area to the point affected by the highest wave of the sea not a storm wave. It may include scattered stones washed by the sea.

(e) "Public beaches" are those which, under the provisions of this Act, may be protected for use as a common.

(f) "Matching funds," as provided by a State, include funds or things of value which may be made available to the State for the purpose of matching the funds provided by the Federal Government for purchasing beach easements as, for instance, areas adjacent to beaches donated by individuals or



associations for the purpose of parking. The value of such lands or other things used for matching Federal funds shall be determined by the Secretary of the Department of the Interior. State matching funds shall not include any moneys which have been supplied through Federal grants.

SEC. 302. The short title of this Act shall be the "Open Beaches Act of 1969".

**S. 3045—INTRODUCTION OF A BILL TO AMEND THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968**

Mr. HRUSKA. Mr. President, I introduce a bill designed to extend authorization and to improve the effectiveness of title I of the Omnibus Crime Control and Safe Streets Act of 1968—Public Law 90-351. That title created the Law Enforcement Assistance Administration. I ask that it be appropriately referred.

The instant bill has two sections.

The first section would modify title I to provide and insure allocation and distribution of the 15-percent discretionary funds in a truly discretionary manner and to insure that each State receive but one block grant each fiscal year.

The second section would authorize appropriation of \$650 million for the fiscal year ending June 30, 1971. Present authorizations provide only to June 30, 1970.

**PURPOSES OF LAW ENFORCEMENT ASSISTANCE ACT**

The Law Enforcement Assistance Administration was designed to give the Federal Government the mechanism, through block grants to the States, to improve the caliber of the administration of the criminal justice system. Through the block grant program, the States may now improve recruitment techniques, educate law-enforcement officers and students for careers in law enforcement, construct new facilities to replace those long antiquated and establish overdue programs to combat organized crime as well as undertaking other necessary and worthwhile law-enforcement projects.

Some of the more imaginative projects underway include a six-State organized crime strike force, located in New York, in which representatives of Federal, State, and local police agencies are participating.

What good is it to be able to arrest a law violator, if he is not tried expeditiously? Conversely, what good is it to conduct speedy trials if the tools available to the police are not capable of effective crime detection?

The police must be given the benefit of modern technology, the courts must be given the benefit of modern management techniques, the prison system must be brought into the 20th century. All this and more is the overall goal of the Law Enforcement Assistance Administration.

I have observed the operation of the Law Enforcement Assistance Administration very closely as I feel that its success or failure will have a significant impact on the administration of criminal justice for years to come.

**FIRST SECTION OF THE BILL**

The first section of the bill would modify the act to permit the allocation

of the discretionary funds in a truly discretionary manner, and limit a state from receiving more than one block grant each year. Section 306 of the act allocates 85 percent of the funds to the State planning agencies, to be divided among the States on the basis of population. This section allocates the other 15 percent of the funds appropriated for discretionary projects. The reason for this allocation of 15 percent discretionary funds is simply that Congress wished to stimulate the improvement of the criminal justice system at all levels of the public and private sector and to give the LEAA administrators the flexibility to support a worthwhile project whether in the universities, in a private foundation, or in a city or a State law-enforcement body.

The current language of the act fails to provide the flexibility that we thought was provided when this legislation was enacted. At the present, discretionary grants now may be made only to cities or States. My amendment would permit discretionary grants to units of general local government, Federal, or State law-enforcement agencies, and universities.

The bill would also dispense with the matching requirement currently imposed on the States as they apply to discretionary grants. As a practical matter, of course, it is desirable to have State contributions and the administration should always strive for such contribution.

Quite frequently, however, the most worthwhile project will be conducted by an entity not capable of providing matching funds, or will involve a multi-State or Federal project. This bill would afford the flexibility for the LEAA to pursue all worthwhile enterprises as was originally intended when we passed the act.

Senator Dirksen, the author of this provision, intended this result when he drafted the section. Because of the subsequent ambiguity which developed, he wrote a letter to the Attorney General explaining that his intention was to create a truly discretionary allocation. Mr. President, I ask unanimous consent that Senator Dirksen's letter be printed in the RECORD following my remarks today.

The bill is also amended to clarify the provisions of title I relating to allocation and distribution of the 85 percent. The amendment makes certain that the allocation and distribution of the 85 percent of the funds to each State shall be truly single, block grants to each State planning agency pursuant to congressional intent expressed at the time of original enactment.

**SECOND SECTION OF THE BILL**

The second section is also an amendment to the Law Enforcement Assistance Act. Section 512 of the act allows the Administration to carry out its programs from fiscal year 1968 through fiscal year ending June 30, 1970. My amendment would authorize appropriations for the next fiscal year ending June 30, 1971, of \$650 million.

The block-grant program of the LEAA has grown in size and scope from \$63 million the first year of operation in

fiscal year 1969 to a request for \$300 million, the full amount authorized, in fiscal year 1970. We anticipated a \$900 million program when fully operational. In submitting this authorization bill, I have only considered the next fiscal year although the program in general has 3 years to run before Congress reexamines it in total. I have done this for a very good reason.

The States, in submitting their plans, have asked for grants in excess of \$1.1 billion for fiscal year 1971. The program for this fiscal year does not yet exceed \$300 million. Thus, in setting the \$650 million mark, I have tried to realistically balance the need for economy against the needs of State law enforcement. There is not any realistic basis for determining the scope of need beyond fiscal year 1971 yet. Thus, I have not suggested any amounts for fiscal years 1972 and 1973 since such legislation would be pure speculation. A bill for additional authorization for fiscal years 1972 and 1973 will follow in due time.

Moreover, by expanding the scope of this program as I have suggested, the Congress will not be expanding the bureaucracy here in Washington. At the core of the LEAA program is the block grant concept. Stated simply, this means that Federal funds are given to the States in a lump sum. The way the grant is spent, however, is left up to the States.

The LEAA provides technical advice and expertise. The LEAA insures that the funds are expended properly. The LEAA reviews the priorities submitted by the States. But the policy decisions are made at the State level right where they should be made, and not here in Washington.

What is accomplished then with this program is an effective revenue sharing plan, strictly for law enforcement improvement purposes, between the Federal Government and the States.

The time has come to recognize the needs and deficiencies of law enforcement and to do something about it. We started last year with the creation of the Law Enforcement Assistance Administration and now we must continue by extending the Law Enforcement Assistance Administration and by giving the States its support and aid.

Mr. President, many articles have been written, and many speeches have been made about crime in our Nation today. The public is developing an awareness, law-enforcement efforts are being beefed up, and improvements in the judicial process are being accomplished. Nonetheless, since 1960, serious crime has increased by 122 percent, the population has increased only 11 percent, and the police solutions of serious crime have declined 32 percent. Clearly, the crime problem has not been solved.

We must keep our guard up. We must remain vigilant, and we must make the streets of our Nation safe. We are off to a good start with the Law Enforcement Assistance Administration and we must continue our efforts.

Mr. President, the work of the Law Enforcement Assistance Administration has been the subject of great interest across the country in recent months.

Recently, a column in the Washington

Evening Star by James J. Kilpatrick called attention to some of the first-year accomplishments of the LEAA program. In addition, the 61st annual meeting of the National Governors' Conference commended the LEAA and noted that the block grant concept has worked out well.

Mr. President, because of the interest in steps being taken to combat crime, as embraced in the Law Enforcement Assistance Administration program, I ask unanimous consent that both of these articles be printed in the RECORD, together with the text of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and articles will be printed in the RECORD.

The bill (S. 3045) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to modify the provisions relating to discretionary grants to the States, to limit the Law Enforcement Assistance Administration to one block grant per State per year from 85 percent funds, and to provide authorization of appropriations for fiscal year 1971, introduced by Mr. HRUSKA, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3045

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. (a) The first sentence of section 301(b) is amended by striking the words "grants to States having comprehensive State plans" and substituting the words "one grant per Fiscal Year to each State having a comprehensive State plan."

(b) The proviso in subsection 301(b) (7) is amended to read as follows: "Provided, That in no case shall any part of a grant made under this section be used for the purpose of this subcategory without the approval of the local government or local law enforcement agency."

(c) Section 301(c) is amended to read as follows: "The portion of any Federal grant used for the purpose of paragraph (5) or (6) of subsection (b) of this section may be up to 75 percent of the cost of the program or project specified in the application for such grant. The portion of any grant used for the purposes of paragraph (4) of subsection (b) of this section may be up to 50 percent of the cost of the program or project specified in the application for such grant. The portion of any grant to be used for any other purpose set forth in this section may be up to 60 percent of the cost of the program or project specified in the application for such grant: *Provided*, That no funds granted under this section shall be used for land acquisition."

(d) Section 301, subsection (d) is amended by striking out the word "part" in the first sentence and inserting in lieu thereof, "section."

(e) The first sentence of section 303 is amended by striking the word "grants" and substituting the words "a grant each Fiscal Year."

(f) Section 306 is amended to read as follows: "Eighty-five percent of the funds appropriated to make grants under this part for a Fiscal Year shall be allocated by the Administration among the States according to their respective populations for grants to the State planning agencies of such States. The remaining fifteen percent of such funds, plus such additional amounts as may be made available by virtue of the application of the provisions of section 509 to the

grant to any State shall, in the discretion of the Administration, be allocated among the States for grants to State planning agencies or used by the Administration for grants for the purposes of this title to units of general local government, public agencies, Federal or State law enforcement officers or agencies, institutions of higher education, or combinations of the foregoing, according to such criteria and on such terms and conditions as the Administration shall determine consistent with this title. Grants made under the preceding sentence shall not be subject to the limitations set forth in subsections (c) and (d) of section 301."

SEC. 2. (a) Section 520 is amended by inserting immediately after "June 30, 1970," the following: "\$650,000,000 for the Fiscal Year ending June 30, 1971".

The articles, presented by Mr. HRUSKA, are as follows:

#### AID TO POLICE A BRIGHT LESSON IN FEDERALISM

The President's advisers were trying to sell him "the New Federalism" a few weeks ago, as a neat little label to paste on his programs. Richard Nixon reportedly turned the label down, on the skeptical grounds that federalism isn't as familiar as corn flakes. How could he sell a new federalism to people who don't know the old?

In the superlative job done in its first year by the Law Enforcement Assistance Administration of the Department of Justice the President could find an outstanding example of new federalism in action. One hesitates to write a rare review, but the LEAA's performance appears to merit the highest praise.

By way of background, it will be recalled that the Omnibus Crime Control Act became law in June of 1968. One section of the act authorized matching grants to states and localities "in order to improve and strengthen law enforcement." In August, Congress approved a \$69 million budget. In late October, with only eight months remaining of the fiscal year, the Law Enforcement Assistance Administration went to work.

Federal grants-in-aid, of course, are nothing new. Roughly 400 such programs are in operation now. But most of them, to judge from the complaints of local officials, are mired deep in bureaucratic swamps. They suffer from too many guidelines and too much paperwork. Most of the grants are characterized by regimentation, nitpicking demands, and maddening delays.

The miracle of this fledgling agency in Justice, under the direction of Charles H. Rogovin, is that apparently it has avoided all these morning-glory entanglements. In barely five months, the LEAA assembled staff, conferred with law enforcement officials in the states, and disbursed \$19 million for planning.

The state governments, which so often are accused of apathy and incompetence, responded to these galvanic urgings with the zeal of ballplayers just offered cold beer. By April 10 of this year, California had filed the first action plan—a 26-volume application, amounting to nearly 6,000 pages.

Other states followed in a rush. By the time the fiscal year ended on June 30, everyone but American Samoa had come under the wire. In their scope and variety, the state-local programs provide a notable example of federalism at its best.

California is pursuing a dozen projects, ranging from alcoholism to court reform. Alabama and Iowa, among others, will use their grants in the field of juvenile delinquency. Idaho came up with training seminars for judges. Maine, Ohio, Arizona and Minnesota are concentrating on police selection and training. Nebraska, Texas, Nevada, Colorado, Alaska and Rhode Island are seeking to improve communications sys-

tems. Georgia won approval for a pilot program of work release for prisoners.

Meanwhile, 14 large cities have qualified for direct federal grants. Detroit got \$100,000 to work on an "electronic robbery stake-out system." Dallas got \$18,000 to study a first-offender program among juveniles. Los Angeles won \$50,000 for an evaluation of "closed-circuit television capabilities in tactical situations." Chicago bid for "Operation Outreach," described as a detoxification, diagnostic, and referral center. In a separate program, academic fellowships were going to some 20,000 college men studying police techniques.

Doubtless some of the money will be wasted, in the sense that some of the experiments, pilot studies, and demonstrations will prove useless. But this is a part of what federalism is all about. What is new here is a bureaucracy with sense enough to keep its cottonpicking hands off the states, and to let them make their own successes—and their own mistakes.

U.S. SENATE,  
March 11, 1969.

HON. JOHN H. MITCHELL,  
Department of Justice,  
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: I am informed that some uncertainty exists as to the Congressional intent of the provision for 15 percent discretionary funds in Section 306 of the Omnibus Crime Control and Safe Streets Act of 1968. The sentence under questions reads as follows:

"Section 306. . . . Of such funds, 85 percent shall be allocated among the States according to their respective populations and 15 percent thereof shall be allocated as the Administration may determine, plus such additional amounts as may be made available by virtue of the application of the provisions of Section 509 to the grant to any State."

As the author of this provision of the Act, I wish to make clear that the intent of the above language is that the use of the 15 percent and the additional amounts under Section 509 be truly discretionary. The Administration may allocate these funds to States, units of general local governments or combinations of such units, institutions of higher education, or private organizations.

Sincerely,

EVERETT MCKINLEY DIRKSEN.

#### COMMENDATION OF LEAA

The National Governors' Conference commends the Administrators and staff of the Law Enforcement Assistance Administration for their extensive and helpful cooperation with the states in implementing the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351). Their actions in fostering the development of qualified staff at the state level, providing wide latitude to the states in developing plans for improving the entire criminal justice system, and generally supporting the federal-state partnership required in a block grant program, sets an outstanding example that could well be emulated by other federal departments. Their efforts to insure the success of this first program embodying a true block grant approach to an intergovernmental problem are noteworthy.

#### ADDITIONAL COSPONSORS OF BILLS

S. 2769

Mr. HANSEN. Mr. President, on behalf of the Senator from Vermont (Mr. PROUTY), I ask unanimous consent that, at the next printing, the name of the Senator from New Jersey (Mr. CASE) be added as a cosponsor of S. 2769, to pro-



vide an incentive for private employers to provide job training programs, including programs for individuals lacking skill or training necessary for steady employment, by allowing an income tax credit for the expenses of such programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2890

Mr. CHURCH. Mr. President, on behalf of myself and my distinguished colleague from Idaho (Mr. JORDAN), I ask unanimous consent that, at the next printing, the name of the Senator from Maryland (Mr. TYDINGS) be added as a cosponsor of S. 2890, to amend title 38 of the United States Code to permit certain active duty for training to be counted as active duty for purposes of entitlement to educational benefits under chapter 34 of such title.

The PRESIDING OFFICER. Without objection, it is so ordered.

# TAX REFORM ACT OF 1969— AMENDMENT

AMENDMENT NO. 250

Mr. MILLER. Mr. President, I submit an amendment, intended to be proposed by me, to H.R. 13270, the so-called tax reform bill. This amendment relates to the subject of tax laws.

I ask unanimous consent that the amendment be printed in the RECORD, and be printed and appropriately referred.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 250) was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

AMENDMENT No. 250

Strike sections 211, 212, and 213 and insert the following in lieu thereof:

"SEC. 211. LIMITATION ON DEDUCTIONS ATTRIBUTABLE TO CERTAIN FARMING OPERATIONS.

"(a) Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"SEC. 277. LIMITATIONS ON DEDUCTIONS ATTRIBUTABLE TO CERTAIN FARMING OPERATIONS.

"(a) GENERAL RULE.—Except as provided in this section and except in the case of a taxpayer engaged in the business of farming as the principal business activity, the deductions attributable to the business of farming which, but for this section, would be allowable under this chapter for the taxable year shall not exceed an aggregate amount equal to the sum of—

"(1) the gross income derived from the business of farming for the taxable year;

"(2) in the case of an individual whose principal residence is on a farm, the gross income derived by such individual and his spouse for the taxable year from wages and salaries for personal services;

"(3) the income derived from the sale of timber located on the farm;

"(4) royalties derived from property on which the taxpayer's farming operations are conducted; and

"(5) \$15,000 (\$7,500 in the case of a married individual filing a separate return), reduced by the amount by which the taxpayer's

adjusted gross income (taxable income in the case of a corporation) for the taxable year attributable to all sources other than the business of farming (determined before the application of this section) exceeds \$30,000 (\$15,000 in the case of a married individual filing a separate return).

"(b) BUSINESS OF FARMING.—For purposes of this section, the term "business of farming" includes the holding of property used in farming.

"(c) FARMING AS PRINCIPAL BUSINESS ACTIVITY.—

"(1) IN GENERAL.—For purposes of subsection (a), the business of farming is the principal business activity of a taxpayer for a taxable year only if the net income from the business of farming for the three preceding taxable years (or so many of such preceding years as the taxpayer has been engaged in the business of farming) equals or exceeds two-thirds of the total net income of the taxpayer for such years.

"(2) NET INCOME FROM BUSINESS OF FARMING.—For purposes of paragraph (1), the net income from the business of farming of a taxpayer for any taxable year is the sum of—

"(A) the gross income derived from the business of farming for such year minus the deductions attributable to such business, and

"(B) the full amount (if any) by which the gains from sales or exchanges of property used in the business of farming (within the meaning of section 1231(b)) which are treated as gains from sales or exchanges of capital assets exceed the losses from such sales or exchanges.

"(3) TOTAL NET INCOME.—For purposes of paragraph (1), the total net income of a taxpayer for any taxable year is the taxpayer's adjusted gross income (taxable income, in the case of a corporation) determined without regard to gains from sales or exchanges of capital assets or of property used in a trade or business, other than the business of farming. For the purposes of the preceding sentence, adjusted gross income and taxable income shall be computed by recognizing the full amount (if any) by which the gains from sales or exchanges of property used in the business of farming (within the meaning of section 1231(b)) which are treated as gains from sales or exchanges of capital assets exceed the losses from such sales or exchanges.

"(d) EXCEPTIONS FOR DEDUCTIONS ATTRIBUTABLE TO DROUGHT, FLOOD, AND OTHER CASUALTIES AND TO CERTAIN FARMING OPERATIONS.—No deduction shall be disallowed under subsection (a) if such deduction is attributable—

"(1) to drought, flood, hail, or other abnormal weather conditions, disease, fire, storm, or other casualty, or theft;

"(2) to a research or experimental farming operation conducted under a program approved by the United States Department of Agriculture, a State department of agriculture, or the agricultural school of an accredited college or university; or

"(3) to farming operations consisting of egg or broiler production.

"(e) OTHER EXCEPTIONS.—

"(1) FARM ENTERPRISE ACQUIRED FROM A DECEDENT.—The limitation in subsection (a) shall not apply with respect to any farming enterprise acquired by the taxpayer by devise or inheritance, or by distribution of a testamentary trust, for the taxable year in which such enterprise is so acquired and for the two succeeding taxable years.

"(2) FARM ENTERPRISE ACQUIRED BY FORECLOSURE, ETC.—The limitation in subsection (a) shall not apply with respect to any farming enterprise acquired by the taxpayer in partial or complete satisfaction of a debt for the taxable year in which such enterprise is so acquired and for the two succeeding taxable years.

"(3) ESTATES.—In the case of an estate,

the limitation in subsection (a) shall not apply to any farming enterprise comprising a part of the estate for the first and second taxable years of the estate if the business of farming was the principal business activity of the decedent for the last full taxable year before his death.

"(f) CARRYBACK AND CARRYOVER OF DISALLOWED FARM OPERATING LOSSES.—

"(1) IN GENERAL.—The disallowed farm operating loss for any taxable year (hereinafter referred to as the "loss year")—

"(A) shall be a disallowed farm operating loss carryback to each of the three taxable years preceding the loss year and a disallowed farm operating loss carryover to each of the five taxable years following the loss year: Provided, That if there was no net income from the business of farming for one or more of said three preceding taxable years, the operating loss carryover period shall be extended by a like number of years; and

"(B) (subject to the limitation contained in paragraph (2)) shall be allowed as a deduction for such years, under regulations prescribed by the Secretary or his delegate, in a manner consistent with the allowance of the net operating loss deduction under section 172.

"(2) LIMITATION.—The deduction under paragraph (1) for any taxable year for disallowed farm operating loss carryovers to such taxable year shall not exceed the taxpayers' net income from the business of farming for such taxable year.

"(3) DISALLOWED FARM OPERATING LOSS.—The term "disallowed farm operating loss" means, with respect to any taxable year, the amount disallowed as deductions under subsection (a) for such taxable year.

"(g) REGULATIONS.—The secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section, including regulations applying the provisions of this section—

"(1) to a taxpayer engaged in more than one business of farming,

"(2) to a business of farming carried on by a partnership, and

"(3) to a business of farming carried on by an electing small business corporation (as defined in section 1371(b)).

The regulations required under paragraphs (2) and (3) shall provide that the income and deductions of a partnership or an electing small business corporation which is engaged in the business of farming shall be treated as the income and deductions of the partners or of the shareholders of such corporation.

"(b) CONFORMING AMENDMENT.—The table of sections for such part IX is amended by adding at the end thereof the following new item:

"SEC. 277. Limitation on deductions attributable to certain farming operations."

"(c) EFFECTIVE DATE.—The amendments made by this Act shall apply to taxable years beginning after December 31, 1969."

## ADDITIONAL COSPONSOR OF AN AMENDMENT

AMENDMENT NO. 225

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin (Mr. NELSON), I ask unanimous consent that, at the next printing, the name of the junior Senator from Washington (Mr. JACKSON) be added as a cosponsor of Amendment No. 225 to S. 2347, to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world to achieve economic, social, and political institutions, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ANNOUNCEMENT OF HEALTH SUB-COMMITTEE HEARINGS ON MIGRANT HEALTH

Mr. YARBOROUGH. Mr. President, on July 18, I was pleased to introduce legislation, S. 2660, that would extend and expand the Federal health program for migrant workers. I have scheduled hearing on this legislation for Tuesday and Wednesday, October 21 and 22 at 10 a.m. in room 4232, New Senate Office Building.

The witness for the administration will be Dr. Roger Egeberg, Assistant Secretary for Health and Scientific Affairs, of the Department of Health, Education, and Welfare, who will appear on Tuesday, October 21, to discuss this underfunded program. Dr. James Peavy, commissioner of health for the State of Texas, will also appear to discuss this important program on Tuesday.

#### ANNOUNCEMENT OF HEALTH SUB-COMMITTEE HEARINGS ON SCHOOLS OF PUBLIC HEALTH

Mr. YARBOROUGH. Mr. President, on August 8, I was privileged to introduce S. 2809, a bill to extend and expand the Federal program of formula grants for schools of public health. I have scheduled hearings on this legislation for Monday, October 20, at 10 a.m., in room 4232, New Senate Office Building.

There are only 16 graduate schools of public health to train the professional health personnel that are needed by Federal agencies, State health departments, county health departments, city health departments, and voluntary health agencies. I am pleased to report that the newest school of public health is located at the University of Texas in Houston. The dean is Dr. Reuel Stallones, who will be a witness on Monday.

The Federal formula grants for schools of public health were first authorized in 1958. Since then the number of graduate degrees awarded by schools of public health has doubled. At present, however, the schools of public health are faced with problems of expanding enrollments to meet pressing needs for professional public health personnel. The present level of financial support through Federal formula grants represents only 12 percent of the cost of basic operations and teaching expenses at the schools. These facts are revealed in a recently completed study entitled "A Progress Report on the Federal Program of Formula Grants to the Schools of Public Health, 1959-69." I ask unanimous consent that the report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

#### A PROGRESS REPORT ON THE FEDERAL PROGRAM OF FORMULA GRANTS TO THE SCHOOLS OF PUBLIC HEALTH, 1959-69

##### PREFACE

This *Progress Report on the Federal Program of Formula Grants to Schools of Public Health, 1959-1969* describes how the na-

tion's schools of public health have fulfilled their commitment to the Congress and the American people to help provide expanded and higher quality services to people by training of health personnel. The formula grants allocated to the schools under the Hill-Rhodes Act have been the key factor in training the vitally needed cadre of health specialists that are in such short supply in Federal, State, and local health agencies.

The schools of public health<sup>1</sup> and their Deans, faculty members, students, and graduates who are a part of this national health effort are grateful for the assistance, encouragement, and support given them by the Congress, the American taxpayers, and their colleagues in other health professions.

This *Progress Report* also outlines the historical background of the establishment of the formula grant program; the amounts and uses to which such funds have been utilized by the schools; the spectacular results that have been achieved during the past decade; the varied roles played by schools of public health; and the dimension of future needs for the Fiscal 1970-1973 period.

Finally, it shows how the schools of public health—with the assistance of the Federal formula grant program funds—have been able to fulfill their mission in serving the complex changing health needs of our modern society, in meeting new challenges to our health environment, and in seeking innovative approaches to the age-old problems of disease, chronic illnesses, and the protection and promotion of our national health and well-being.

##### INTRODUCTION

The purpose of this *Progress Report* is to render an accounting of stewardship to the Congress and the American people on what has been accomplished during the past ten years in utilizing formula grants to augment the number of trained public health professionals to provide services to the people of our country through Federal, State, and local health agencies.

A relatively small amount of Federal funds have been invested in this program. But few Federal programs have produced such a significant impact in furthering national objectives and in meeting urgent national needs. This *Progress Report* describes how such results have been achieved, the key role that graduates of schools of public health play in our country, and projects the needs for continued formula grant support over the next several years.

##### LEGISLATIVE HISTORY

The Hill-Rhodes Act of 1958 (P.L. 85-544) was the first formal recognition by Congress of the Federal responsibility in providing formula grant assistance to institutions of higher education to assist in comprehensive graduate training in the public health professions.

The bi-partisan bill was sponsored in the House of Representatives by Rep. George M. Rhodes (D., Pa.) and was co-sponsored in the Senate by Senators Lister Hill (D., Ala.), John F. Kennedy (D., Mass.), Pat McNamara (D., Mich.), Irving Ives (R., N.Y.), and John Sherman Cooper (R., Ky.). It was passed by a unanimous vote in both the House and Senate after extensive hearings and was signed into law by President Eisenhower.

The Act amended Section 314(c) of the Public Health Service Act by earmarking \$1 million a year for a two year period in grants to accredited schools of public health to provide comprehensive professional public

health training. It specified that primary consideration be given in the allocation of funds to the number of Federally-sponsored students attending each school.

During the debate on the measure, it was pointed out that the eleven schools of public health were—in effect—the public health equivalent of West Point, Annapolis, and the Air Force Academy in providing professional health training and leadership for the Nation. Most graduates of the schools go into the public service in staffing essential public health positions in municipal, county, State, and Federal governmental levels.

When the original formula grant legislation was enacted, there were eleven accredited schools of public health eligible for grants—five State universities (California at Berkeley, Michigan, Minnesota, North Carolina, and Puerto Rico) and six privately-endowed institutions (Columbia, Yale, Harvard, Johns Hopkins, Pittsburgh, and Tulane).

Since then, four new schools have been accredited and have shared in the formula grant program. Three are State universities (Hawaii, California at Los Angeles, and Oklahoma) while one is privately-endowed (Loma Linda University in California). Another State university—the University of Texas at Houston—was accredited in June 1969 and is eligible for formula grant funds for the 1969-70 school year. Several other schools are expected to apply for accreditation during the next several years to help meet the growing need for professional public health personnel.

In 1960, Congress enacted P.L. 86-720, which extended the formula grant program with a \$1 million annual authorization and removed the time limitation on the program. It also authorized \$2 million annually for project grants to schools of public health, nursing, and engineering to strengthen and expand graduate public health training.

A provision of the Community Health Facilities and Services Act of 1961 (P.L. 87-395) amended the original formula grant program by increasing the annual authorization from \$1 million to \$2.5 million to meet rising teaching needs and student enrollment at the schools. The program was also extended until June 30, 1966.

A section of the Community Health Amendments of 1965 (P.L. 89-109) increased the formula grant authorization from \$2.5 million to \$5 million for one year.

The Comprehensive Health Planning and Public Health Service Act of 1966 (P.L. 89-749) again extended the formula grant program to schools of public health for two years and authorized \$5 million for each of the two succeeding fiscal years. This measure also transferred the program from Section 314 to Section 309(c) of the Public Health Service Act.

The Partnership for Health Amendments of 1967 (P.L. 90-174) further extended the formula grant program, authorizing \$5 million for the fiscal year ending June 30, 1968, \$6 million for the year ending June 30, 1969, and \$7 million for the year ending June 30, 1970. These step increases were further recognition by Congress of the growing magnitude of the public health training needs of the country. Authorization for the formula grant program will expire unless extended during the present Congress.

##### ALLOCATION FORMULA

Regulations promulgated by the Public Health Service pursuant to the legislative intent of the original Act have resulted in the following formula in the allocation of formula grant funds:

One-third of each annual appropriation is allocated equally among the schools of public health in recognition of basic teaching costs that do not vary in direct proportion to the number of Federally-sponsored students.

<sup>1</sup>Schools of public health are located at the following institutions—University of California (Berkeley), University of California (Los Angeles), Columbia, Harvard, Yale, Johns Hopkins, North Carolina, Michigan, Minnesota, Tulane, Pittsburgh, Puerto Rico, Oklahoma, Hawaii, Loma Linda, and Texas (Houston), accredited in June 1969.



Two-thirds of each annual appropriation is allocated to the various schools in proportion to the number of Federally-sponsored students in each school, using the average of the past three fiscal years to avoid wide fluctuations from year to year.

Thus, the accreditation of new schools of public health (without a corresponding increase in appropriations) actually *reduces* the proportionate share of total funds allocated to each school.

#### CRITICAL NEEDS—FISCAL 1970 APPROPRIATIONS

This unfortunate situation presently faces all schools of public health in the 1969-70 school year. The University of Texas at Houston school of public health was accredited in June 1969 and is eligible for formula grant funds. Under the present law, \$7 million is authorized for the Fiscal 1970 year; but only \$4,554,000 of this amount has been requested in the new budget—the same amount as appropriated by Congress last year. Thus, unless additional funds are appropriated this year, each school of public health will lose part of its allocation to help provide funds for the new school in Texas.

Actually, even the full appropriation of the \$7 million in formula grant funds authorized for this year would still fall short of meeting actual needs of the schools. In a survey conducted by the Association of Schools of Public Health in April, 1969 the fifteen presently accredited schools of public health have estimated their formula grant needs at \$8.8 million for the 1969-70 school year. This amount would be required just to keep pace with increased student enrollment, higher costs, and to correct existing shortcomings in instruction. This is \$1.8 million more than authorized by Congress for Fiscal 1970 and almost double the amount of formula grant funds requested in the Fiscal 1970 budget.

In the recent survey conducted by the Association of Schools of Public Health, schools have indicated that additional funds that are needed would be used to correct what they consider to be major existing shortcomings in instruction in such vital areas as:

- Environmental Health, including Radiation Health and Occupational Health.
- Comprehensive Health Planning and Health Administration.
- Epidemiology and Related Fields.
- Population and Family Planning, including Maternal and Child Health.
- Mental Health.
- Nutrition.
- Medical Care and Hospital Administration.

#### FORMULA FUNDS VS. TOTAL COSTS OF SCHOOLS

Formula funds provided under the Federal program have not kept pace with rising costs of basic operations and teaching at the schools of public health. Table 1 shows that while total student enrollment has almost doubled since 1963, total costs have increased by almost three times. The proportion of costs met by formula grant funds in 1968 was actually less than it was in 1963. Meanwhile, the number of Federally-sponsored students at the schools have steadily increased and now amounts to two-thirds of the total enrollment.

While the 1,961 Federally-sponsored students attending the fifteen schools of public health represented 67 percent of the total student enrollment, tuition received by the schools for these students was only \$2.1 million, or about 6.5 percent of the total costs for basic operations and teaching for the year. Even with the formula grants and various other restricted types of grants received by the schools under other Federal programs, it is clear that the schools are—in effect—heavily subsidizing the training of the essential cadre of public health professionals for all levels of government service. Limited

State funds or private endowments *cannot* meet the rapidly growing needs of the schools

of public health in fulfilling these vital national health responsibilities.

TABLE 1

Year	Total enrollment	Total cost basic operations and teaching	Formula funds allocated	Proportion of costs met by formula funds (percent)	Proportion of Federal-sponsored students in total enrollment (percent)
1963.....	1,618	\$11,600,000	\$1,900,000	16	56.4
1968.....	2,908	\$32,500,000	4,000,000	12	67.0

<sup>1</sup> When one adds research and service activities, the total becomes \$64,099,000.

#### ROLES OF SCHOOLS OF PUBLIC HEALTH

Schools of public health have a vital national and an international role. The Federal government and the 50 States are dependent on the fifteen schools in twelve States and Puerto Rico for the supply of graduate trained public health professionals. A survey shows that only 25 percent of the graduates actually work in the States where they attend public health school—a clear indication of the national characteristic of the schools. States that do not have schools rely on the continuing efforts of institutions in other States for trained public health manpower. The schools have also been heavily involved in the international health field for many years. Many graduates are foreign nationals, often sponsored by our government as part of the AID program. Most return to careers of public health leadership in their own countries.

The schools play essential roles in many diverse fields that are important to the national welfare:

**Teaching:** The teaching role of the schools prepares physicians, dentists, engineers, nurses, and other professional public health personnel to organize and administer programs and to perform research and teaching functions aimed at controlling and preventing disease and other health hazards. It is also directed toward the promotion of sound health practices among population groups at the local, State, and Federal levels.

**Public service.**—A survey of graduates of public health schools shows that more than 90 percent enter professional employment in public agencies at the local, State, or Federal health levels. Many faculty members of the schools also serve as expert consultants to public and private health agencies concerned with public health matters. The increasing concern with such health problems as air and water pollution, aging, chronic diseases, radiation, accident prevention, mental health, and nutrition has caused a corresponding increase in demands for new curricula and training of professional public health personnel in these and other fields to fill existing vacancies in public agencies.

**Research.**—The schools' research role is oriented primarily to the search for the causes and for the means of controlling and preventing disease, accidents, and other health hazards on a mass basis, rather than to the clinical aspects of healing sick persons—the primary concern of research in medical schools and hospitals. Other public health research develops basic knowledge of the social, cultural, and economic factors involved in effective application of proven health measures among various population groups.

#### INVESTMENT AND RESULTS

Since the enactment of the Federal formula grant program in 1958, Congress has authorized \$41 million in assistance to the schools of public health. Of this amount, \$26,454,000 has been subsequently appropriated by the Congress, allocated by the Public Health Service, and expended by the schools to carry out the purposes of the program. Table 2 shows the figures for each fiscal year in

which the program has functioned. During this period, the number of schools of public health has increased from eleven to the current level of sixteen, reached by the accreditation of the University of Texas (Houston) in June of 1969.

TABLE 2.—FORMULA GRANT ASSISTANCE TO SCHOOLS OF PUBLIC HEALTH—AMOUNTS AUTHORIZED AND APPROPRIATED BY CONGRESS—FISCAL YEARS 1959-70

Fiscal year ending June 30—	Number of schools	Amounts authorized	Amounts appropriated
1959.....	11	\$1,000,000	\$450,000
1960.....	12	1,000,000	1,000,000
1961.....	12	1,000,000	1,000,000
1962.....	12	2,500,000	1,900,000
1963.....	13	2,500,000	1,900,000
1964.....	13	2,500,000	1,900,000
1965.....	13	2,500,000	2,500,000
1966.....	14	5,000,000	3,500,000
1967.....	14	5,000,000	3,750,000
1968.....	15	5,000,000	4,000,000
1969.....	15	6,000,000	4,554,000
1970.....	16	7,000,000	( <sup>1</sup> )

<sup>1</sup> Appropriation pending.

In the fiscal year ending June 30, 1969, \$6 million in formula grants were authorized and \$4,554,000 appropriated by Congress and allocated to the schools of public health. Grants ranged from a high of \$639,000 for one school down to a low of \$119,500. The average size grant for the fifteen schools sharing in the formula program was \$303,000 for the 1968-69 school year.

The success of any program in which the public interest is involved must be measured by the amount of Federal funds expended and the significance of the results achieved. What has been the result of this investment of taxpayers' dollars in the type of programs carried on by the nation's schools of public health? To what extent have these expenditures helped to meet our health needs? Federal formula grant funds—plus those they helped to generate—have produced these dramatic results in the 1959-69 years since enactment of the program as compared with the comparable time period immediately preceding its enactment:

A 124 percent increase in the number of students enrolled at schools of public health (24,361 as compared with 10,872)

A 74 percent increase in the number of graduate degrees awarded by schools of public health (11,240 as compared with 6,451)

(See Table 3 for data listed by years for this period)

A 195 percent increase in the number of Federally-sponsored students at schools of public health (from 717 in 1959 during first year of program to 2,115 in the current school year)

A 187 percent increase in the total number of students currently enrolled at schools of public health in the 1969-70 year as compared with the 1957-58 year (3,525 as compared with 1,230)

An increase from 11 to 16 in the number of accredited schools of public health providing comprehensive graduate training and degrees in the health professions

The addition of hundreds of new courses in the schools to meet the health needs of our changing society, such as Environmental Health, Mental Health, Maternal and Child Health, Radiological Health, Medical Care for the Aged, Comprehensive Health Planning, Epidemiology, Nutrition, Hospital Administration, Industrial Health, and many others.

#### USES OF FORMULA GRANT FUNDS

Schools of public health, unlike other institutions, cannot rely on alumni contributions for financial support since virtually all graduates are engaged in public service activities. Thus, they must depend more heavily on grant programs than many of the other professional schools. Of the total expenditures of \$64 million by the fifteen schools during the 1967-68 school year, the level of support they received from their parent institutions ranged from 6 percent to 33 percent of their operating expenses, with an overall average of only 23 percent.

In this situation the importance of formula grant funds is characterized not only by the amount but by the flexibility of this type of financial support, which enables the schools to stretch the funds for more effective use.

TABLE 3—U.S. SCHOOLS OF PUBLIC HEALTH—TOTAL NUMBER OF GRADUATE DEGREES—STUDENT ENROLLMENT—1948-69

Year	Number of graduate degrees awarded	Number of students enrolled in credit courses
<b>Before enactment of formula grant program:</b>		
1948.....	460	638
1949.....	471	865
1950.....	524	969
1951.....	620	1,025
1952.....	604	1,039
1953.....	608	998
1954.....	584	915
1955.....	567	971
1956.....	582	1,045
1957.....	659	1,177
1958.....	772	1,230
<b>Total (1948-58).....</b>	<b>6,451</b>	<b>10,872</b>
<b>After enactment of formula grant program:</b>		
1959.....	785	1,304
1960.....	744	1,266
1961.....	766	1,399
1962.....	747	1,619
1963.....	798	1,848
1964.....	1,032	2,047
1965.....	1,092	2,267
1966.....	1,195	2,608
1967.....	1,196	3,115
1968.....	1,337	3,363
1969.....	1,548	3,525
<b>Total (1959-69).....</b>	<b>11,240</b>	<b>24,361</b>

Analysis of Table 3 shows, as is generally true in higher education, that there is a delayed and cumulative effect from the increase in formula grant funds. Thus, from 1959 to 1963 there was little difference in the number of graduates, which from 1963 to 1969, the last six years, the number of graduates practically doubled. A similar effect, with a shorter lag period and a greater proportional growth, is obvious for student enrollment.

Over the years, each school has devised methods to maximize the effective use of formula grant funds. In its questionnaire to Deans of the schools in April, 1969, the Association of Schools of Public Health asked for statements on how the formula grants have been used. Here is a representative sample of comments received:

"The major programs for which formula grant funds are currently being used . . . are public health nursing, maternal and child health, biostatistics, support staff for core curriculum, and strengthening field training needs in health education. Existing teaching programs have been expanded and improved by the purchase of audio-visual equipment, instructional and library materials, and lab-

oratory equipment . . . In community service, continuing education has been a major support item of this School's activities for health workers in the State."

"Formula grant funds constitute an indispensable component of our budget for instructional purposes. Literally speaking, these funds undergird, in varying degrees, all of the ten academic departments . . . Between 1958 and 1968, student enrollment increased by more than 100%. This rapid expansion could not have taken place without the financial support of formula grant funds."

"Formula grant funds made possible a full-time obstetrician with training and experience in Maternal and Child Health and Population Problems, enabling us to offer courses in this area such as Family Planning, Maternal Health Guidance Programs, etc. Extension programs for outlying health departments were conducted as well as the organization and presentation of a program on Drug Abuse. Currently, a program is being initiated to develop community betterment programs in a Mexican-American community and another among a Negro and Mexican-American community."

Departments chiefly aided by formula grant funds are Microbiology, Behavioral Sciences, Environmental Sciences, Health Services Administration, Biostatistics and Demography, and Human Ecology. Since the formula funds have not significantly increased, they can provide little base for further expansion until appropriations are increased."

"The formula grant funds are interwoven into the fabric of this School's staff budgets to such an extent that, if they were no longer available, the entire program would be in jeopardy. They are used in practically every programmatic area in the School's teaching and training activities. Further, an increase in grant funds is needed urgently if existing programs are to keep pace with rapidly changing events and if programs needing basic development are to be instituted. Areas which need updating and improvement are environmental health, epidemiology, and public health administration. Newer areas which need development are within the scope of behavioral sciences as they affect the public's health, population control, and area-wide comprehensive planning."

"Formula grant funds play an extremely important role in the teaching program of the School . . . Changing social needs require flexibility in planning of teaching. Formula grants permit the development of specific training programs which will meet immediate needs, such as family planning, programs meeting health needs of ghetto areas . . . and problems of urban populations."

"Formula grant funds have been used to meet a variety of needs in the School. They have provided for the employment of faculty in the areas of public health nursing and mental retardation . . . Formula grant funds also enabled the School to purchase some of the more expensive and urgently needed teaching equipment for which other funds were not available. Equipment such as calculators, microscopes, and projectors were purchased."

"Formula grant funds have enabled us to continue to meet the varied teaching responsibilities imposed by new and changing public health needs. Faculty have broadened and strengthened programs in Air Pollution, Biochemistry, Health Administration and Planning, Health Education, Occupational Health, Public Health Nursing, and Sanitary Engineering . . . The availability of these

funds has been a significant factor in making it possible for us to more than double student enrollment during the past decade. Without these funds, it would have been practically impossible to expand our faculty to provide high quality training for the rapidly expanding student body . . ."

"Formula grant funds have been important in the instrumentation of various activities in our School which have had considerable impact on community affairs. Our School has functioned actively as consultant to various legislative bodies in health matters. Through an evaluation study we were instrumental in the reorganization of health services provided to workers through the State Insurance Fund. Our cooperation was also requested by the committee planning a project for a Model City . . ."

"If formula grant funds ceased during one month, the School would have to close down the following month. Thirty-five fulltime faculty members receive part of their salary from such funds and the entire salary of nine lecturers is dependent on these sources . . . This money has enabled us to approximately double our class size in three years, has equipped a good library for us, paid for a librarian, enabled us to obtain up-to-date teaching supplies, enabled our biometry section to begin converting its teaching from calculators to computer terminals, and brought many distinguished scientists to address our students and faculty . . . Formula grant funds are the oxygen supply of our scholastic body and we shall surely asphyxiate without them . . ."

#### NATIONAL HEALTH LEADERS

Graduates of schools of public health play vital roles in our national health effort. The list that follows represents the wide range of activities and agencies—Federal, State, and local—in which key positions are currently held by public health school graduates. This listing is drawn from a sample of graduates of the various schools.

#### Federal level

Public Health Service.  
Food & Drug Administration.  
Indian Health Service.  
Air Pollution Control.  
Migratory Workers Program.  
Environmental Health Sciences.  
Tuberculosis Control Bureau.  
Accident Control Bureau.  
Center for Health Services and Development.

Center for Radiological Health.  
Chronic Disease Control Bureau.  
National Institutes of Health.  
Atomic Energy Commission.  
Social Security Administration.  
Regional Medical Programs.  
Comprehensive Health Planning.  
International Health Programs.  
Population Control Programs.  
Cancer Control Bureau.  
Communicable Disease Center.  
Center for Vital Statistics.  
Heart & Stroke Control Bureau.  
Office of Economic Opportunity.  
Aedes Aegypti Eradication Program.

#### State and municipal levels

State Health Commissioners.  
County Health Officers.  
City Health Officers.  
Public Health Nurses.  
Nutrition Programs.  
Mental Retardation Programs.  
Dental Health Programs.  
Health Education Programs.  
Comprehensive Health Planning Agencies.  
Rehabilitation Programs.  
Rat Control Programs.  
Maternal & Child Health Programs.  
Tuberculosis Control Programs.  
Veterinarian Service Programs.  
Secretaries of Health & Welfare.



Vital Statistics Offices.  
Sanitary Engineering Offices.  
Mental Health Centers.  
Comprehensive Health Service Programs.  
Hospital Planning Councils.  
Computer Units.  
Regional Medical Programs.  
Drug Control Programs.  
Social Service Departments.  
Alcohol Control Programs.  
Air & Water Pollution Control Programs.  
Venereal Disease Control Programs.  
Laboratory Health Services.

#### Miscellaneous

Voluntary Health Agencies.  
Health Insurance Programs.  
Mental Health Agencies.  
Cancer Societies.  
Research & Teaching in Schools of Medicine, Nursing, Dentistry, Veterinary Medicine, Public Health, and Allied Health Professions.

Departments of Preventive Medicine in Medical Schools.

Health Foundations.  
Heart Associations.  
International Health Organizations.  
Tuberculosis Associations.  
Mental Retardation Agencies.  
Population Control Organizations.

#### DIMENSIONS OF NEED—1971-1973

As has been already noted, the schools of public health have estimated their financial needs for the 1969-70 school year (FY 1970) at \$8.8 million in formula grant funds. This amount is required just to keep pace with increased student enrollment, the need for new courses, and rising operating costs. This compares with a current authorization ceiling of \$7 million for Fiscal 1970 and the President's budget request of only \$4,554,000—the same amount as appropriated by Congress last year.

The serious financial crisis facing schools of public health during the next several years poses a growing threat for the 1970's in their ability to supply the increasing demands by health agencies for trained professional health manpower. Vacancies already exist in key health positions at all levels of government despite the tremendous increase in the numbers of skilled health personnel being trained each year by the schools of public health.

At their annual meeting in Minneapolis last April, the Deans of all the schools of public health in the United States expressed their concern in a communication sent to President Nixon, HEW Secretary Finch, and Budget Director Mayo. It said:

"Deans and Directors of the sixteen university schools of public health, meeting to review current educational situation, respectfully but urgently call attention to critical need to provide increased financial support for comprehensive preparation of graduate physicians and other health leaders needed for public service in Federal, State, and local governments, who are now vitally important to present and future health of our people, particularly those now deprived of health services in inner cities and poverty areas.

"Although \$7 million authorized in fiscal 1970 for formula grants so essential to operation of schools of public health, only \$4,554,000 requested by past administration. Unless Congress appropriates full amount authorized we must report that increased manpower shortage will seriously impair possibility of meeting nation's health needs."

It is clear that since the schools of public health are the only source to train these vitally needed health professionals, our national needs can only be met by increasing the appropriations level in the Fiscal 1970 budget and by raising the authorization ceilings by legislative action in the 91st Congress to more realistic levels. Only then and by the subsequent appropriation of adequate funds during the Fiscal 1971-73 years can

our Nation be assured of meeting our national, State, and local health manpower requirements.

How can these needs be determined? The Association of Schools of Public Health in April 1969 solicited data to pinpoint specific quantitative and qualitative needs in a questionnaire to the Dean of each school of public health. Detailed data for each of the three years—1970-71, 1971-72, and 1972-73—were furnished by the schools and carefully analyzed. The results are shown below.

An estimated \$51 million in Federal formula grant funds will be required by the nation's schools of public health during the Fiscal 1971-1973 period to meet the expanding student enrollment, teaching programs, and increases in basic operating costs:

	Million
Fiscal year 1971.....	\$12.5
Fiscal year 1972.....	16.8
Fiscal year 1973.....	21.6

The schools have estimated that these funds, if authorized and appropriated by Congress, would be distributed approximately as follows in the various areas of instruction:

	Percent
Epidemiology.....	14
Environmental health, including radiation and occupational health.....	13
Health administration, including comprehensive health planning.....	13
Continuing education.....	10
Population and family planning, including maternal and child health.....	8
Health education.....	7
Biometry.....	7
Medical care and hospital administration.....	6
Mental health.....	5
Nutrition.....	5
Behavioral sciences.....	4
Public health nursing.....	2
Aging and chronic diseases.....	2
International health.....	2

The remaining two percent of the funds would be used to improve supportive services for the teaching programs of the schools of public health.

#### SUMMARY

This *Progress Report* has described how Federal formula grant funds have been utilized by the nation's schools of public health and presented the remarkable record of accomplishment made as a direct result of the financial assistance provided during the Administration of four Presidents by the 85th through the 90th Congresses under bipartisan support.

It is clear that such progress in public health training and practice could not have been made without formula grant funds, which provide the flexibility required in the schools' teaching and administrative structure.

It is also clear that future progress in the public health field in America depends, in large part, on the continuing and expanding support of the schools of public health through formula grant funds. Estimates of the dimension of these needs during the next several years have been provided.

To the achievement of this growing dimension of needs for the decade of the 1970's, the Nation's schools of public health rededicate themselves.

#### VIETNAM MORATORIUM ADDRESS BY SENATOR MUSKIE

Mr. HART. Mr. President, the distinguished Senator from Maine (Mr. MUSKIE) participated in yesterday's Vietnam moratorium—as did a number of us in this body—by going home and talking with and listening to his own constituents.

Because the remarks of the Senator from Maine at Bates College are exceptionally to the point, and instructive for all who will heed them, I ask unanimous consent that his address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

#### ADDRESS BY SENATOR EDMUND S. MUSKIE

I have been asked why I chose to speak at Bates College tonight.

I came to Bates because I believe today's moratorium can be a time for learning. For me it is a chance to continue an education started on this campus many years ago.

Today's protest is a sign of concern and frustration. It is a sign of broken communications.

There are those who say there is nothing to learn from the moratorium. There are those who downgrade the right to petition.

I say that on the issues of Vietnam we have much to learn from each other, and we can only learn if we are willing to listen to each other and to reason with each other.

This applies to the President and to those who protest. Only in this way can we develop policies on Vietnam which can meet our national interests and end the ugly divisions caused by our involvement there. I regret that the President has not seen this day as an opportunity to unite rather than divide the country. His participation, in a forum of his choosing, could have added a constructive dimension to this national dialogue.

We are engaged in a unique and somewhat awkward experiment. We are engaged in an effort to change a major aspect of our foreign policy in public view, while our country is involved in a war and in diplomatic negotiations to end that war.

Our national debate over the wisdom of past policies, the validity of present policies and our alternatives for future policies is open for world-wide inspection. The magnitude of today's moratorium, for example, transmitted almost instantaneously by radio and television, will have a significant impact in Washington, in Paris, in Moscow, in Hanoi, and in Saigon.

We cannot predict either the nature or the precise direction of the changes we shall cause. We may never be able to measure our impact, but we can be sure our voices will be heard.

That fact is one which should not be ignored. If we mean to be heard—if we mean to change the course of events—then we must be conscious of the responsibility we have assumed.

The right to have a voice in the development of public policy carries with it a responsibility for the results of that policy. Our proposals may not be adopted, but what we say and how we say it will help shape what happens at the negotiating table and on the battlefield.

A sense of responsibility for what we say and do should induce some caution, but it should not impose silence. One of the most dangerous assumptions in a democratic society is to conclude that only the President, the Cabinet and his generals are competent to make judgments on the national interest. Their judgment and their actions, which are fallible, must be subjected to constant scrutiny, tempered by the knowledge of our own, individual fallibility. As the President may be wrong, so may we be wrong.

If we want to make constructive proposals about our policies in Vietnam and Southeast Asia, we must understand how we got where we are, what our objectives now are or should be, and what alternatives are available to us.

Our involvement in Vietnam did not happen overnight or through the decision of one man. It was the product of post World War II policies directed against Communist expansionism and threats of expansion in

Europe, Asia and elsewhere. It was stimulated by our fear that Communist support for "wars of liberation" would topple the struggling countries of Southeast Asia and disrupt the balance of power in that part of the world. It was encouraged by the concern expressed by governments in that area which felt threatened by Communist China and North Vietnam.

We were persuaded that an aggressive communism threatened to exploit the emerging drive toward nationalism and self-determination which characterized that area. In the uncertain conditions following the withdrawal of Great Britain and France from Southeast Asia, American power seemed to hold a promise of security and support for those who lived in that area.

Although we followed a policy of "limited" involvement in Vietnam, we found our participation growing from technical assistance, money and weapons to massive armed intervention. We sought to buy time for the South Vietnamese against the combined onslaught of the Vietcong and the North Vietnamese, but in the process we made the struggle an American war and imposed terrible burdens on ourselves at home and abroad.

Time has changed our perspective on conditions in Vietnam. What once seemed clear is now uncertain. What once could be described in terms of black and white is now gray. We ask ourselves hard questions:

Should Vietnam have been divided by the Geneva Accords?

Should we have supported the political arrangements forecast by those Accords?

To what extent was the Vietnamese conflict a case of external aggression and to what extent was it a civil war?

History will render the final verdict on the wisdom of our decision to enter the Vietnam conflict. Our task is more immediate—to set new policies where old plans no longer apply, and to bring peace where there is none today.

We are engaged in the search for a way to end the fighting and the killing, to give the Vietnamese people the opportunity to work out their own political destiny, and to lay the groundwork for a more appropriate United States policy in Southeast Asia. Each of us has engaged in that search in his or her own way.

In the process I have made two trips to that part of the world—one as a member of the Mansfield Mission in 1965 and one as a member of the 1967 election observers group. I have read extensively and consulted with men who know the problems of Vietnam intimately.

I have reached some conclusions on what may be the best alternative strategies and policies, conscious of Clark Clifford's observation that "to reach a conclusion and to implement it are not the same, especially when one does not have the ultimate power of decision."

I offer my conclusions, not as one who has an absolute conviction of his own infallibility, but as one who seeks to contribute to a constructive policy for ourselves and for the people of Southeast Asia.

First, I believe our primary objective—for the Vietnamese as well as for American soldiers—should be to end the fighting and killing in Vietnam.

Second, I believe we should do what we can to advance the prospects for a political settlement in Vietnam. We should not design or impose that settlement, but we should do what we can to make it possible.

Third, I believe we should reexamine the nature of our interests in Southeast Asia and the kinds of efforts we can prudently make to help Asian nations achieve the economic, social and political stability they want and need.

It is clearly the deepening conviction of the American people that we must end our present involvement in Vietnam. That conviction must control our policy.

That fact is reflected in a number of proposals and policies for:

- Disengagement;
- De-Americanization of the war;
- Withdrawal of American forces in accordance with a variety of formulas and timetables;
- De-escalation of combat activities;
- Ceasefires.

Implicit in most of these proposals are the twin objectives:

An end to American involvement—accomplished in a way which will enable the South Vietnamese to carry on without us—as soon as possible—in the event a negotiated settlement has not been achieved in the meantime.

The various formulas for withdrawals raise a number of questions:

1. Should we commit ourselves to a total withdrawal by a specified date?
2. If so, should our timetable be publicly announced?
3. Should we commit ourselves, publicly at least, only as to withdrawal of ground combat forces—leaving in doubt the date and conditions for withdrawing air aid logistical support?

Involved in the answers to such questions are:

The viability of a continued South Vietnamese effort upon our departure;

Maintenance of pressure upon Hanoi and the National Liberation Front to negotiate.

In the light of our involvement and its impact upon the Vietnamese people—whether or not history judges it to have been wise—do we have a responsibility to be concerned about such questions and the impact that the manner of our departure will have upon the situation we leave behind?

It is difficult to conceive of basically new proposals to add to those already advanced in a variety of forms.

As I have considered all of these, and the questions they raise, I have reached certain conclusions.

1. I believe we must disengage our forces—in an orderly way—as soon as possible.

I believe such a policy is dictated by several considerations:

Our efforts have bought the South Vietnamese people valuable time to develop political and military viability;

Whether or not they have developed the will and the capacity to shape their own future must be tested at some point;

There is no way for us to guarantee the existence of that viability;

In the last analysis, the Vietnamese people must create their own political institutions and select their own political leadership;

The imperatives of our problems here at home dictate that we now leave their future in their hands and turn our attention to our own.

2. I believe that withdrawal of our military forces should be orderly and phased in such a way as to give the South Vietnamese people an opportunity to adjust to it.

We should make it clear to the Government in Saigon that our withdrawal is geared to a specific time frame to which they must adjust.

The other side should be left in doubt—and we should reserve flexibility—as to the phasing out of logistical and air support. This point, it seems to me, could be relevant to their motivation to negotiate.

Even as we plan our withdrawal, it should be our objective to pave the way for a political settlement between the South Vietnam Government, the National Liberation Front, and other groups representing the several social and political tendencies in Vietnam.

The kind of withdrawal proposal advanced by former Secretary of Defense Clark Clifford—of those which have been proposed—illustrates one way to serve this objective. It's based on the assumption that we should continue to seek a negotiated settlement in Paris as we plan for disengagement.

Accordingly, Secretary Clifford has proposed a two-stage plan which would move our ground combat troops out by the end of 1970 and which would provide air and logistical support for somewhat longer. Such a plan, while cutting American casualties, could provide an incentive for the South Vietnamese Government, the North Vietnamese, and the National Liberation Front to reach a negotiated settlement, hopefully even before our withdrawal is complete.

(3) I believe that a standstill cease-fire might open the way for a negotiated settlement and a quick end to the fighting and killing. This suggestion has been resisted by both sides which suggests to me its viability. Such an offer could be accompanied by a reduction in our offensive operations.

If the standstill cease-fire plan succeeded, the withdrawal of United States forces could be accelerated as international peace-keeping forces stepped in to insure observance of the cease-fire. If the standstill cease-fire offer did not lead to an early end to the fighting, a steady and methodical withdrawal plan would offer an effective way of reducing United States involvement and combat losses, while creating the conditions which favor a political settlement.

A standstill cease-fire and a staged withdrawal plan do not rise or fall on the success of the other, but they could reinforce each other. Each recognizes that our commitment and our obligations in Vietnam are to the Vietnamese people, not to a particular regime. Each provides an opportunity for a reasonable political solution. Each reduces the risk of political reprisals at the end of the war.

What I have said, up to this point, is the following:

1. That we commit ourselves to disengagement.

2. That we implement that commitment by means of a phased plan of withdrawal, geared to a timetable.

3. That, in planning our withdrawal, we seek to promote the prospects for a negotiated settlement.

There are those who, in their frustration, are pressing for immediate, unilateral withdrawal. There are others, equally frustrated, who suggest escalating the war again. As to both these suggestions, I raise the following questions:

Is it not possible—

That either course could make less likely a negotiated settlement between the parties?

That either course could mean an inevitable continuation of the war?

That either might open the way for a blood bath in South Vietnam?

That either could dim the prospects for a free choice by the South Vietnamese people?

Our power to influence the shape of post-war Vietnam seems limited to the way in which we decide to disengage. An abrupt and precipitate disengagement could leave chaos behind us.

To the extent that we can avoid that result, we should try.

A scheduled plan for withdrawal of American forces means that the United States will make its own decisions as a great country should—with an appreciation of its own interests, with understanding of its enemies and concern for its allies, and with the wisdom to learn from its past mistakes. In too many cases in Vietnam we have allowed ourselves to be diverted by narrow demands of the Saigon Government and deflected by the uncertain responses of Hanoi. We drifted with events and reacted to pressures. Now is the time for us to assert control over our own policies in pursuit of reasonable and just objectives.

Now is the time also to make clear to the Saigon government that we will not permit it to veto our efforts to explore new ways to end the war. Saigon blocked the proposed three-day cease fire at the time of Ho Chi Minh's death. We urged them to broaden their po-



litical base; they responded by enlarging the cabinet, but narrowing its political base.

It is not our prerogative to determine the future political complexion of the Saigon government, and we should not let it be assumed that we have any fixed or irrevocable views on that score.

There are additional steps which might enhance the prospects for a political settlement:

Agreement on a joint commission on elections, to avoid a "winner take all" election, feared by both sides.

Large-scale land reform.

A United States offer of medical aid, relief, and long-term economic and technical assistance to both Vietnams at the conclusion of a settlement.

These are steps for the Vietnamese to initiate, not for us to impose.

I do not assume that the suggestions I have made would guarantee immediate acceptance by the North Vietnamese and the National Liberation Front or by the Saigon government. But I believe that, taken together, they could provide incentives for both sides in Vietnam to begin planning for an end to the military contest.

Any of the proposals advanced for United States initiatives to disengage from Vietnam cannot be implemented by congressional resolution or by public demand. They can only be implemented by the President and his administration.

I believe President Nixon wants peace in Vietnam. I believe the Nation is ready to support him in meaningful moves toward peace. Such meaningful moves require new initiatives.

There have been, and will be, many different explanations of what this moratorium "means". Some will say it means that the American people want all our troops embarked this week for home, whatever the consequences. Some will say it means a complete repudiation of the administration's policies. The President's initial response to it seemed to support that second view—unwisely, in my opinion.

Let me tell you what I think this moratorium means.

I think it means that a very great number of Americans have decided that we should move much more vigorously than we have toward reducing our casualties, and toward ending the fighting and withdrawing from Vietnam.

The American people are in a position to encourage additional steps toward peace, by making known their commitment to a change in our strategies and a re-examination of our underlying international policies. That commitment will require an appreciation of the complexity of the forces with which we must deal, and a willingness to invest time and energy in the search for a better way to help the peoples of Asia, Africa and South America to achieve their own potential.

Our experience in Vietnam has taught us some painful lessons—lessons we wish we might have avoided or might have learned in a less painful way.

We are arrogant and mistaken if we believe that we of the western world are the sole possessors of the yearnings which motivated our own revolution. It is not our national responsibility or duty to stifle or pervert these yearnings when they appear elsewhere.

John Adams told us that, "power always thinks it has a great soul and vast views beyond the comprehension of the weak." Eric Sevareid reminds us that, "in that illusion lies the key to the ultimate crumbling of those sovereign states of the past that rolled not to, or toward, world supremacy. Power is not only not wisdom but often wisdom's enemy."

When we have truly learned that lesson and when it is reflected in our policies at home, this Nation will truly be on the road to the only kind of freedom that matters.

#### ANNIVERSARY OF BIRTH OF DWIGHT DAVID EISENHOWER

Mr. SCOTT. Mr. President, October 14 was the anniversary of the birthday of our beloved former President and general, Dwight David Eisenhower. It is fitting that yesterday the Senate provided for the issuance of an Eisenhower \$1 coin to commemorate this great leader. It was a fitting action which greatly honors a great man.

General Eisenhower will be remembered by all of us for his long term of service to the Nation as supreme commander of our Armed Forces, as a great President, and as a lasting figure in American life.

On November 23, 1953, President Eisenhower expressed his passionate feeling for things of the spirit and soul, and his abiding faith in the American people. He said:

The things that make us proud to be Americans are of the soul and spirit. They are not the jewels we wear, or the furs we buy, the house we live in, the standard of living, even, that we have. All these things are wonderful to the esthetic and to the physical senses. But never let us forget that the deep things that are America are the soul and the spirit. The Statue of Liberty is not tired, and not because it is made of bronze. It is because no matter what happens, here the individual is dignified because he is created in the image of his God. Let us not forget it.

#### FUNDS APPROVED FOR THREE WEST VIRGINIA PROJECTS

Mr. BYRD of West Virginia. Mr. President, as one of the Senate conferees on the appropriation bill for the Department of the Interior and related agencies, I am proud that on October 14 we were able to secure the approval of House conferees with regard to funds for two highly important coal research projects in West Virginia, as well as for work that is needed at a federally owned camping site in Tucker County, W. Va.

Earlier, in subcommittee action, I was able to get the approval of my colleagues to restore \$652,000 which the House had slashed from the fiscal year 1970 operating budget for "Project Gasoline" in Marshall County, W. Va., and to add \$243,000 to preclude a reduction in force at the Morgantown, W. Va., Coal Research Center. My colleagues also agreed to add \$65,000 to the budget to make repairs on a faulty sewage disposal lagoon at Camp Horseshoe, a facility owned by the U.S. Forest Service and operated by the YMCA in Tucker County.

I am gratified that we were able to persuade House conferees to agree to all three of these actions because each project, in its own way, is important to the State or the locality in which it is located. I believe that a summary of the needs of each project might be of interest.

The Project Gasoline pilot plant at Cresap is now operating with the full crew needed for continuous production. It has reached this condition after considerable modification that was required to eliminate mechanical difficulties. In order to obtain the maximum benefit from the large investment that the Government has made in this project, it is

necessary to operate the pilot plant in the manner for which it was designed through the next year or two. If the present level of operations were to be substantially curtailed, it would be impossible to obtain the data which is needed to bring the project to a successful conclusion. Substantial curtailment now would result in a waste of Government funds in that anything less than full operation would be meaningless.

The original budget request prepared by the Office of Coal Research was \$3,500,000. This represented OCR's best judgment as to the funds required for proper operation and did include a reasonable contingency factor. The cost of present full-scale operations is proceeding at a rate of about \$3,000,000 per year. Thus in OCR's judgment the \$2,652,000 originally in the budget was a barebones minimum, undoubtedly on the low side of that which will be needed.

As approved by the House Appropriations Committee, \$2,000,000 was well below any possible sum which would have kept the pilot plant operating to produce the desired results. Operation at that level would have been almost meaningless.

As to the research money to be spent at Morgantown, this Nation has only a few research centers devoted to improving coal technology. We are in danger of losing skilled, professional scientists and engineers who are in extremely short supply at the Morgantown Coal Research Center. This loss would be occurring at a time when numerous studies indicate that the Nation's future energy demands will reach unprecedented levels and will severely tax the coal industry to meet the demand for coal.

The increased demand for coal, coupled with our concern for the health and safety of the coal-mine worker, dictates that it would be wise to increase our coal research expenditures rather than lay off experienced coal research personnel. Accordingly, I requested that an additional \$243,000 be appropriated for the Morgantown Coal Research Center.

These funds would be used to determine the technical and economic feasibility of pneumatically transporting coal from the mining machine to an established underground mining system. Successful development of such a pneumatic transportation could increase the operating time of mining equipment, assist in controlling respirable dust concentrations in the mine atmosphere, and provide a controlled exit for methane produced during mining. These improvements would make coal mining inherently safer and more efficient than at the present time.

In the absence of the restoration of these funds, a reduction in force of 15 research personnel from the Morgantown station would have been necessary.

Turning from coal research, Camp Horseshoe organization camp was built and is owned by the U.S. Government. It is operated under special-use permit by the YMCA and in 1968 provided 16,000 visitor-days of use for 7,400 visitors. The camp can accommodate 160 persons at one time.

About 2 years ago, the YMCA started improving the existing sanitation system by constructing two combination

shower and toilet units, sewage disposal lines, and a sewage disposal and treatment lagoon. The Forest Service designed the sanitation system for the YMCA under a cooperative agreement.

The treatment lagoon subsequently failed, due to shortcuts taken in both design and installation. The site examination by the Forest Service in the system design did not disclose the porous nature of the soil, and, as a result, the lagoon will not hold water. Consequently, the YMCA has had to revert to use of pit toilets pending correction of the defective treatment system.

The Forest Service recognized that it has an obligation to the YMCA to correct the errors in the design of the lagoon and redesigned the system the latter part of fiscal year 1969. The reconstruction necessary work to correct this unsatisfactory situation will cost approximately \$65,000. The need was not included in the fiscal year 1970 budget because it was only known subsequent to preparation of the 1970 recreation development program.

#### COOPERATIVE EXTENSION SERVICE

Mr. ALLEN. Mr. President, the Cooperative Extension Service with headquarters at Auburn University has a long and illustrious history of service to farmers and citizens in rural areas of Alabama. Few, if any, governmental organizations have done more to improve living conditions of all rural people of Alabama.

Mr. President, the Cooperative Extension Service is one Federal agency that enjoys overwhelming support of all the people and justifiably so because it works closely and harmoniously with county governing bodies, with State legislatures, with adults and youth, with local public schools, with rural community organizations. In doing so it has remained in touch with the people and works with and for the people.

Before we travel too far down the road to "new federalism" it may be well to consider the effectiveness of the philosophy, the administrative structure, and the methods of the Cooperative Extension Service and take note of its emphasis on a genuine State-Federal partnership. It has much to offer as an example of traditional federalism and as a workable State-Federal relationship.

Mr. President, it is unfortunate today that eminently successful Federal programs designed to assist our farmers and rural population are under attack from ideologues, agitators, and irresponsible elements which seem to thrive on creating divisiveness, discord, and turmoil. It is hoped that the Cooperative Extension Service will be spared this disruptive and time-consuming ordeal.

Mr. President, I believe the following report of the Cooperative Extension Service at Auburn University may be useful in discouraging nit-picking and harping criticism of this truly outstanding organization from irresponsible elements of the left. I ask unanimous consent that the report be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

#### IMPLEMENTATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, COOPERATIVE EXTENSION SERVICE, AUBURN UNIVERSITY

##### I. RESULTS ACCOMPLISHED

A. Prior to 1964, non-white and white Extension programs were organized and operated largely as separate units. Non-white county staffs were located in 35 of the 67 counties and a state staff was located at Tuskegee Institute. Actions to implement the Civil Rights Act resulted in an administrative merger placing all programs and activities under the same administrative and supervisory personnel. Other actions and accomplishments were:

1. White and non-white personnel located in separate offices were relocated and housed together at both the county and state levels.

2. In many instances, county rental agreements were terminated, new office locations were secured and physical alteration of office space was necessary. The physical task of relocating county staffs and advising the public of these changes required a special public relations program with county officials and the public. All counties with white and non-white staff members were involved in this process.

3. Non-white state staff members who were housed in an Extension-owned building located at Tuskegee Institute, a predominantly Negro institution, were relocated with all but two staff members being housed in offices at Auburn University, the state headquarters for the Cooperative Extension Service. The remaining two staff members were located in area offices.

4. Non-white staff members had always carried the word Negro as part of their title prior to 1965. By act of the Board of Trustees, Auburn University, upon request of the Director, titles of non-whites as well as whites at the county level were changed to provide a uniform title for like positions. Such titles needing attention at the state level were also changed.

5. The transition in titles and responsibilities required a training program on the part of the organization to acquaint staff members, and particularly the public, with the new titles and the need to associate them with positions and responsibilities. This transition was accomplished in all 67 counties of the state.

6. All agency signs indicating separate office locations or services were removed and new signs designating a single office with one service were installed.

7. Public facilities such as water fountains, rest rooms, etc., used by Cooperative Extension Service staffs, were made equally available to all staff members regardless of race.

8. A detailed plan for implementation of the Civil Rights Act was developed in March 1965 and revised in August 1965. This plan was directed toward the major areas of (1) program planning and execution, (2) staff housing and facilities, (3) staff assignments and development, (4) special events, and (5) continuing state programs. This plan has served as a guide in implementation of the Act.

9. Specific policies and procedures for implementation of the Civil Rights Act were developed and copies provided and reviewed with all professional Extension Service employees by the Director. Policies covered all major conditions set forth in Title VI of the Act and subsequent regulations based upon the Act. Procedures were quite explicit as to the role of each employee in the implementation of these policies.

10. Organized groups were contacted to explain Extension's policies relating to service to them and participation in their programs and activities. Such action occurred at all levels of organization—county, district, area, and state. Mass media were also used extensively in this effort.

11. County staff competencies and abilities

were reviewed and assignments made to best use their capabilities.

District supervisors worked with county staff members to determine areas of work toward which each might make the greatest contribution. Assignments were made, although not restrictive in nature, for each position.

12. Salary and travel allocations were adjusted to compensate employees in accordance with position held and their work performance. Such adjustments resulted generally in greater percentage salary increases for non-whites than for whites.

13. New office equipment and supplies were provided where needed to standardize facilities for white and non-white employees in like positions.

14. All county staffs were directed to hold weekly staff conferences to discuss plans and programs for the week. Usually, such conferences were held on each Monday morning and a discussion of activities reported to the district Extension chairman and associate district Extension chairman for their information and supervisory guidance.

15. Both white and non-white staff members were provided equal opportunity for formal training for informal inservice training.

16. Opportunities for attending off-campus graduate courses were inaugurated for all employees regardless of race.

17. Specialists and other staff members giving training to county staffs provided equal training to all county personnel without regard to race.

18. Upon merger of county offices, it was made possible for any county staff member to request specialist assistance through the county Extension chairman. This plan increased the opportunities for non-white employees to discuss the need for specialist assistance and to secure such assistance since white and non-white agents occupied contiguous offices.

19. All 4-H Club awards programs and activities were combined. The combining of programs meant that all literature, training awards, and other activities were equally available to all 4-H'ers without regard to race. Prior to 1964, 4-H Clubs were conducted on a segregated basis. All awards programs participated in by whites and non-whites are judged by committees composed of the two races.

20. There has been an increase in non-white 4-H Club enrollment since passage of the Civil Rights Act and the combining of offices and programs.

In 1964, there were 30,211 non-white 4-H Club members. In 1969 this number had increased to 44,770 members—an increase of 14,559.

21. Homemaker clubs were reorganized with emphasis placed upon leader training for club officials. Special interest groups have been emphasized. Home demonstration clubs were segregated prior to 1964 and met largely in homes, but staff emphasis is presently upon meetings of a bi-racial nature held publicly and on matters of special or wide interest.

22. Employment opportunities are open to employees regardless of race or sex. Qualified personnel are employed when available, to fill positions that become vacant. An example of this is found in Macon County. A non-white county Extension home agent was promoted to associate county Extension chairman in 1968, replacing a white employee who had held that position. This non-white employee has responsibilities for programs for both white and non-white women and youth of Macon County.

23. Special limited resource demonstrations, programs and literature have been designed to better serve low income families, a high percentage of which are non-white. Since 1964, there have been 81 different publications especially written for low income



groups, and 1,949,000 copies have been printed and distributed. Limited resource demonstrations have been conducted in all counties in increasing numbers each year.

24. Long-time Extension programs were revised at the county level in 1966 to better accommodate changes in staff and services to clientele. Since that time, a single Extension annual plan of work has been developed for each county embracing plans for all Extension activities in the county.

25. County Extension Advisory Councils have been revised. Before passage of the Civil Rights Act, there were white and non-white council groups involved in planning separate county programs. Presently, there is only one county Extension Council in each county. Sixty-five of the 67 counties have bi-racial council memberships.

26. Secretarial assistance has been made available to all county staff members. Thirty of the 35 counties with non-white employees did not have secretarial assistance prior to July 1, 1964. Since combining offices, all employees have access to secretarial assistance.

27. There were five non-white employees at the county level in 1964, but presently there are 18 non-white non-academic employees located in county offices. These employees serve both white and non-white staff members as do the white non-academic employees located there.

28. Seventy non-white professional employees are located in 35 different counties within the state.

29. At the state level there are six non-white specialists, an assistant editor and an assistant to the director occupying professional positions.

30. An especially designed Nutrition Education Program was begun for low income families early in 1969. This program presently makes use of non-professional program assistants, 123 of which are non-white. A vast majority of clientele served by this program is non-white.

31. Procedures for filing complaints have been posted in public places and released to the press. Publications covering this subject have been made available to the public.

32. Professional employee associations were organized on a segregated basis prior to 1964, but are now open to whites and non-whites. By-laws and other barriers to membership and participation in professional associations are removed and presently all professional associations of Extension employees are open to whites and non-whites.

## II. ACTIONS TAKEN TO ACCOMPLISH RESULTS

The first action taken after passage of the Civil Rights Act of 1964, and the receipt of regulations pertaining to Title VI applicable to the Cooperative Extension Service, was to begin discussion between staff members to explore ways and means of implementing the Act. Such discussions included both white and non-white staff members, and were directed toward ways and means of complying with the Act. After considerable discussion, and consideration of several alternatives, certain carefully designed concrete steps were taken to move toward compliance. Major steps taken were as follows:

A. The decision was made to keep each staff member fully informed of all regulations, instructions or policies pertaining to the Act, and their application to the Cooperative Extension Service. Direct letter communication, meetings, conferences, personal contacts and the weekly Official Letter were included in the methods used by the administration to accomplish this end. Examples of this action are:

1. Instructions for administration of Title VI of the Civil Rights Act of 1964 in the Cooperative Extension Service, dated December 28, 1964, as received by Auburn University President Ralph B. Draughon from Federal Extension Service Administrator Lloyd H. Davis, was duplicated and sent to each

staff member by the director of the Cooperative Extension Service.

2. Memorandum issued by Secretary Orville L. Freeman titled "Federal Participation in Segregated Meetings" was received from Administrator Davis and forwarded to staff members by the Director, June 23, 1964.

3. Adjustments in Extension programs under the Civil Rights Act were received from Administrator Davis, duplicated by the Director, and sent to the staff June 10, 1965.

4. The Director secured minutes of meeting of the Board of Trustees, Auburn University, relating to title changes of Extension personnel and forwarded copies to staff members June 11, 1965. This action was followed by further explanation in the Director's Official Letters numbers 306 and 307, dated June 11 and 18, 1965.

5. USDA regulations set forth in section 15.5 (b) pertaining to the necessity for keeping compliance records was sent to all staff members by the Director's Official Letter No. 307, dated June 18, 1965.

6. A statement and explanation of Extension's policy with respect to working with organized groups was prepared for county use and sent to county Extension chairmen by the Director in June 1965.

7. County program responsibility as assigned to the County Extension Chairmen was clarified by the Director in Official Letter No. 308, dated June 25, 1965.

8. July 2, 1965, the Director received from Administrator Davis statement titled (1) Adjustments in Policies and Practices of the Cooperative Extension Service to Meet Compliance Requirements of Title VI of the Civil Rights Act of 1964, (2) Civil Rights Amendments to Instructions, and (3) Supplemental Instructions for Administration of Title VI of the Civil Rights Act of 1964 in the Cooperative Extension Service. Copies of each of these documents were sent to staff members by the Associate Director.

9. Copies of the publication titled "Civil Rights Under Federal Programs," CCR Special Publication No. 1, was sent to all staff members with Official Letter No. 311, dated July 16, 1965. Attention was again called to the availability of this material in Official Letter No. 416, dated September 11, 1967.

10. Letter from the Director to county Extension chairmen and associate county Extension chairmen made references to the three pieces of material sent to counties July 2, 1965, called on county staffs to obtain letters of intent to comply from organizations served by the Cooperative Extension Service. This letter was dated July 16, 1965.

11. The Director sent letter to all state and area organizational heads cooperating on a continuing basis with the Cooperative Extension Service to explain compliance policies. This letter was dated July 20, 1965.

12. A statewide meeting of heads of major organizations was held in Auburn, Alabama, July 28, 1965, to explain regulations and policies of the Civil Rights Act of 1964 as it applied to the Cooperative Extension Service. Explanations were made by the Director, followed by discussion with organizational leaders.

13. A state proposed plan of action under Title VI of the Civil Rights Act of 1964 was developed and presented to the Federal Extension Service. The plan was first developed March 3, 1965 and revised August 15, 1965. The latter plan was the last one developed and sent to Administrator Davis.

14. A statement of policies and procedures for implementation of Title VI of the Civil Rights Act was completed (based upon above mentioned plan) and forwarded to Administrator Davis. This policy statement was dated August 15, 1965.

15. The above mentioned policy statement was read by the Director to each professional employee in district meetings held: Auburn, August 30-31; Montgomery, September 1-2; Huntsville, September 13-14; and Birming-

ham, September 15-16, 1965. Members of the Federal Extension Service staff were also involved in these conferences to discuss related matters.

16. October 21, 1965, the Director sent to county Extension chairmen a copy of Administrator Davis' statement titled "Interpretation and Modification of Civil Rights Instructions" and called attention to the fact that under the modified regulations they were not required to secure compliance statements from organizations being served.

17. Official Letter No. 351, dated May 13, 1966, carried attachment of copy of letter from Administrator Davis pertaining to 4-H Clubs operating in schools where plans for school compliance had not been approved.

18. December 18, 1967, the Director sent each county Extension chairman a copy of Administrator Davis' letter outlining examples of Civil Rights violations found in Office of Inspector General audits in a sample of counties in six states. Comments were made about this document in the Director's Official Letter No. 431, dated December 18, 1967.

19. The Director issued to staff members a policy statement regarding service by Extension members to Homemaker Clubs. This statement was dated September 1968.

20. Staff members were reminded in Official Letter No. 498, dated May 23, 1969, to display publication "Civil Rights Under Federal Programs."

21. Official Letter No. 499, dated May 30, 1969, carried the official complaint procedure statement previously sent to counties in other documents and again called their attention to means of making complaint procedures available to the public.

22. A statement titled "Planned Action for Civil Rights Implementation in Response to County OIG Audits," was forwarded by request to Administrator Davis, July 8, 1969.

23. A report requested by the Administrator of program and staff data covering the (1) names, titles, race and salaries of staff in counties or areas having white and minority group professional staff as of July 1, 1969, (2) participation in selected 4-H events, (3) youth receiving awards in the 4-H program, (4) number of Extension related organizations, and (5) number of people in Extension related planning groups, was supplied by the Director August 13, 1969.

24. A report titled "Implementation of Civil Rights Plan in Response to County OIG Audits," was forwarded to Administrator Davis by the Director on September 15, 1969.

B. Actions other than administrative contacts through correspondence were also employed. District Extension chairman and associate district Extension chairmen held numerous and repeated conferences with district, area, or county groups to explain and discuss proposed or alternative actions that might and should be taken to implement Title VI of the Civil Rights Act.

Likewise, county Extension chairmen held staff conferences and met with individuals and organized groups in repeated sessions to discuss changes that were needed. These actions are reflected in weekly and monthly reports on file in counties and at the state office.

C. Reports were revised to better determine contacts and service to non-white clientele. Weekly reports were changed to reflect contacts with clientele by race and monthly reports carried a supplement that related service to clientele by race and economic status. This was explained to county staff members in letter from the Director dated January 18, 1966. Reports were regularly reviewed and analyzed by the supervisory staff.

D. Regular compliance reviews were conducted to determine extent of compliance and steps that might be taken to meet requirements of the Civil Rights Act. Reviews were both informal and formal in nature. Many of the reviews were of an informal nature and were conducted by the supervisory

staff and resolved with county staffs and informal reports presented to the Director. More formal reviews were also conducted by the Extension staff and other agencies.

E. Special compliance reviews were also conducted by different interested agencies. Some of these were concerned with complaints of individuals, situations, or a particular county program. Supervisory staff members of the state Extension Service also conducted special reviews. Action was taken on each compliance review conducted.

#### NEW DEVELOPMENTS IN GROUND WARFARE

Mr. GOLDWATER. Mr. President, during the course of the hearing before the Committee on Armed Services, we learned of a number of new developments in ground warfare which were not sufficiently enough developed to be contained in this year's authorization.

I have seen a number of these devices in operation and I am very enthusiastic about what these will do for our ground forces and eventually, because the theory can be applied to all forces, what we will accomplish in the field of intelligence of the economy for the entire military.

On October 14, the Chief of Staff of the U.S. Army, Gen. W. C. Westmoreland, addressing the Association of the U.S. Army, gave a broad brush of the impressing, interesting, and exciting possibilities in the new approaches to intelligence and support. The paper, naturally, did not go into the subject in great detail, but I can assure Senators that if they are interested in what the Army of the next decade will look like and how it will function, they can get a fine beginning knowledge by reading the general's outstanding discussion. I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY GEN. W. C. WESTMORELAND,  
CHIEF OF STAFF, U.S. ARMY

I always welcome the opportunity to address those who support this Association . . . I know I am among friends who are vitally concerned about our Army.

Our Army today is a dynamic organization undergoing change to stay abreast of a rapidly changing technology and society.

In our adult lifetime many of us have witnessed change unequalled in history—the jet airplane, nuclear power, television, and the computer—to name a few. And the social change that should have come within the last century has been our legacy to accomplish in our generation—now.

As an integral part of our changing society, the Army has also been challenged to meet those demands. We in the Army accept the challenge . . . just as we have accepted and met all our challenges in the past.

Today our Army is weathering a period not too unlike others in our proud history.

Today once again the fundamental principles of our profession—the pillars of discipline on which an Army is built—the trust and confidence that have traditionally motivated the soldier are being questioned. We cannot this time wait for a call to action. The problems that we must address exist within our own ranks . . . we share them with the entire Nation. With our troubled society questioning the role of the Army more than ever before, each soldier in a position of leadership is on trial . . . both his character and his integrity are being tested. To meet the test, he must stand on his principles . . .

his personal and professional code of ethics, his dedication, his leadership. These are the principles that resolve the crucial . . . these determine the worth of a man's life. These are the hallmarks of the professional soldier in his finest tradition.

The U.S. Army has served its country proudly. It continues to respond to legally constituted executive authority. But the American people also must understand that their Army does not exist to fight without something to fight for. Our Armed Forces on the international scene are as necessary for the security of our country as our domestic police forces are necessary for law and order at home. Our Army can only be as effective as the spirit of its soldiers. And certainly this spirit is sparked by public trust, support, and confidence.

The Army is as dedicated now as it has been for nearly two centuries . . . dedicated to the preservation of our way of life. In guarding this trust, we have never failed. What more could a country ask of its soldiers?

Recently, a few individuals involved in serious incidents have been highlighted in the news. Some would have these incidents reflect on the Army as a whole. They are, however, the actions of a pitiful few. Certainly the Army cannot and will not condone improper conduct or criminal acts—and I personally assure you that I will not. We will always regard the rights of the individual and acknowledge due process of law. But the Army as an institution should never be put on trial as we deal with the few.

We are a proud Army. We do have confidence in our officers, noncommissioned officers, and soldiers who continue to provide the Army and the Nation with the selfless devoted service that has always been our cherished tradition.

This year, I take special satisfaction in addressing this audience—for I know you are dedicated to the maintenance of a strong, modern Army through military-industrial-labor-academic-scientific cooperation. This team provides the Armed Forces with the best equipment science and technology can produce. This cooperative effort is an element of national power that must never be eroded.

For this reason, I will focus now on purely military matters . . . on developments that are of special interest to this audience.

I will proceed on the assumption that neither the Congress nor the Nation wants us to lay down our shield of armed readiness. On the contrary, our citizens continue to demand from us the best military forces possible within the resources made available to us. This is a fair and demanding challenge which we accept.

In meeting this challenge, the Army has undergone in Vietnam a quiet revolution in ground warfare—tactics, techniques, and technology. This revolution is not fully understood by many. To date it has received only limited attention. Analysis of the lessons from this revolution will influence the future direction of our Army both in fundamental concepts of organization and development of equipment.

When the first American units were committed in Vietnam, they were to a large extent a reflection of the organization, tactics, techniques, and technology of World War II, with one noteworthy exception. That exception, of course, was best demonstrated by the 1st Air Cavalry Division. For the first time, an Army unit of division size had been organized and equipped to free itself from the constrictions of terrain through the use of battlefield air mobility. The concept and resultant organization were logical outgrowths of the development of sturdy, reliable helicopters for troops carriers, weapons platforms, command and control, aerial ambulances, and reconnaissance vehicles and larger helicopters for carrying artillery, ammunition, and supplies. Even before the arrival of American combat troops, the effective use of the helicopter had been demonstrated in the support of the Vietnamese. I am confident that the vitality of air mobility is recognized and understood by this informed audience.

We learned that Vietnam posed a problem even more difficult than mobility. The enemy we face in Vietnam is naturally elusive and cunning in his use of the dense jungle for concealment. As a result, in the early days of the American commitment we found ourselves with an abundance of firepower and mobility. But we were limited in our ability to locate the enemy. We were not quite a giant without eyes, but that allusion had some validity. Whenever we engaged the enemy, we won the battle. Too often those battles were at enemy initiative and not our own. Too often battles were not fought because the enemy could not be found or because, after initial contact, he had slipped elusively into the jungle or across borders politically beyond our reach . . . or had literally gone underground.

Since 1965 a principal thrust of our experimentation, adaptation and development in tactics, techniques, and technology has been toward improvement of our capability to find the enemy. Each year of the war witnessed substantial improvement. In 1965, 1966, 1967, and early 1968 we increased the number of both air and ground cavalry units. We added a second airmobile division. As our troops arrived, we progressively organized special reconnaissance elements of all kinds, including long-range patrol companies and special forces teams. We found ourselves more and more using the infantry for the purpose of finding the enemy. When the enemy broke down into small units, we did likewise. We learned to operate skillfully at night. We mastered the enemy's ambush techniques. Technical means were reinforced and improved. Intelligence organizations were expanded and refined.

During this period, the Director of Defense Research and Engineering urged the scientific community to develop a new family of sensors and associated communications equipment to help locate enemy forces on infiltration routes. After proving these devices workable in test, we developed plans in 1967 to use them throughout the battlefield. In mid 1968, our field experiments began. Since then, we have integrated these new devices with the more conventional surveillance equipment and other intelligence collection means. As a result, our ability to find the enemy has improved materially.

Comparing the past few years of progress with a forecast of the future produces one conclusion: we are on the threshold of an entirely new battlefield concept. Now let me briefly examine the past and relate it to the future.

The Napoleonic Wars are well documented in history texts. Firepower was limited. Mobility was limited essentially to the foot soldier. Support services were provided by contact or foraging. Cavalry, scouts and pickets provided intelligence. This chapter of military history is replete with numerous examples of battles that might have been . . . had the opposing forces known of each other's presence. But when forces made contact, they massed to do battle. At Waterloo, for example, over 140,000 troops crowded into less than three miles of front line contact.

A little over a century later, World War I brought trench warfare. The advent of the machine gun and massed artillery introduced sizable increases in the firepower capabilities available to ground forces. Mobility and support efforts experienced little change. Maneuver on the battlefield was almost nonexistent. Only a few visionaries saw real utility in the tank. Primitive aerial observation brought only marginal improvements in intelligence gathering. The density of troops in the front line, reduced from that of Waterloo, still re-



mained high as soldiers crowded shoulder to shoulder in their network of trenches. Without mobility and information about the enemy, the newly acquired firepower served little purpose.

World War II saw the tank mature, and armies organized to capitalize on this capability. Mobility began to gain on firepower. While the Navy was developing sonar and air elements proceeded with intercept radars, Army target acquisition systems remained essentially at the World War I level. The wheeled vehicle improved our support effort. But we were still confined to the ground with our airlift capability remaining minimal.

The increased mobility, however, did permit combat elements to disperse over a wider front, and the density of troops along the battle lines became smaller. Still, the absence of a refined intelligence capability permitted only small economics of force.

But the Vietnam War has seen a revolution in ground force mobility. We no longer assign units a sector of frontage. Instead, units are responsible for an operational area. And with the mobility of the helicopter, units like the 1st Cavalry and the 101st Airborne Divisions cover hundreds of square miles with their airmobile blankets.

The revolution I envision for the future comes not from the helicopter alone, but from systems that heretofore have been unknown.

For a moment, let us consider the basic combat role of the Army. As the Nation's land force, our mission is to defeat enemy forces in land combat and to gain control of the land and its people. In this role, we have traditionally recognized five functions. But we have emphasized only three: mobility, firepower, and command and control—in other words—move, shoot, and communicate. To me, the other two—intelligence and support—have not been sufficiently stressed. Placing the functions in proper perspective, I visualize the Army's job in land combat as:

First, we must find the enemy.

Second, we must destroy the enemy.

And third, we must support the forces that perform the other two functions.

By studying operations in Vietnam, one can better understand these functions.

Large parts of the infantry, ground and air cavalry, and aviation are used in what I will now call "STANO"—surveillance, target acquisition and night observation, or function number one—finding the enemy. In this function large areas can be covered continuously by aerial surveillance systems, unattended ground sensors, radars and other perfected means of finding the enemy. These systems can permit us to deploy our fires and forces more effectively in the most likely and most productive areas.

The second function—destroying the enemy—is the role of our combat forces—artillery, air, armor, and infantry, together with the helicopters needed to move the combat troops. Firepower can be concentrated without massing large numbers of troops. In Vietnam where artillery and tactical air forces inflict over two-thirds of the enemy casualties, firepower is responsive as never before. It can rain destruction anywhere on the battlefield within minutes . . . whether friendly troops are present or not.

Inherent in the function of destroying the enemy is fixing the enemy. In the past, we have devoted sizeable portions of our forces to this requirement. In the future, however, fixing the enemy will become a problem primarily in time rather than space. More specifically, if one knows continually the location of his enemy and has the capability to mass fires instantly, he need not necessarily fix the enemy in one location with forces on the ground. On the battlefield of the future, enemy forces will be located, tracked, and targeted almost instantaneously through the use of data links, computer assisted intelligence evaluation, and automated fire con-

trol. With first round kill probabilities approaching certainty, and with surveillance devices that can continually track the enemy, the need for large forces to fix the opposition physically will be less important.

Although the future portends a more automated battlefield, we do visualize a continuing need for highly mobile forces to surround, canalize, block or otherwise maneuver an enemy into the most lucrative target.

The third function includes an improved communication system. This system not only would permit commanders to be continually aware of the entire battlefield panorama down to squad and platoon level, but would permit logistics systems to rely more heavily on air lines of communications.

Today, machines and technology are permitting economy of manpower on the battlefield, as indeed they are in the factory. But the future offers even more possibilities for economy. I am confident the American people expect this country to take full advantage of its technology—to welcome and applaud the developments that will replace wherever possible the man with the machine.

Based on our total battlefield experience and our proven technological capability, I foresee a new battlefield array.

I see battlefields or combat areas that are under 24 hour real or near real time surveillance of all types.

I see battlefields on which we can destroy anything we locate through instant communications and the almost instantaneous application of highly lethal firepower.

I see a continuing need for highly mobile combat forces to assist in fixing and destroying the enemy.

The changed battlefield will dictate that the supporting logistics system also undergo change.

I see the forward end of the logistics system with mobility equal to the supported force.

I see the elimination of many intermediate support echelons and the use of inventory-in-motion techniques.

I see some Army forces supported by air—in some instances directly from bases here in the continental United States.

In both the combat and support forces of the future, I see a continuing need for our traditionally highly skilled, well-motivated individual soldier . . . the soldier who has always responded in time of crisis—and the soldier who will accept and meet the challenges of the future.

Currently, we have hundreds of surveillance, target acquisition, night observation and information processing systems either in being, in development or in engineering. These range from field computers to advanced airborne sensors and new night vision devices.

Our problem now is to further our knowledge—exploit our technology, and equally important—to incorporate all these devices into an integrated land combat system.

History has reinforced my conviction that major advances in the art of warfare have grown from the Fullers and Guderians—men who detected, in the slow, clumsy, unarmed, largely ineffective tanks of World War I, the seeds of the future. Between the two World Wars, they foresaw with clarity the blitzkrieg of armored and panzer forces that introduced a new dimension to ground warfare.

More recently, Generals Howze and Wheeler and the late Lieutenant General Bill Bunker conceived air mobility long before the machinery existed to fulfill the concept. Today we witness both the airmobile concept and the airmobile division proved in Vietnam.

We are confident that from our early solutions to the problem of finding the enemy, in Vietnam the evidence is present to visualize this battlefield of the future . . . a battlefield that will dictate organizations and

techniques radically different from those we have now.

In summary, I see an Army built into and around an integrated area control system that exploits the advanced technology of communications, sensors, fire direction, and the required automatic data processing—a system that is sensitive to the dynamics of the ever-changing battlefield—a system that materially assists the tactical commander in making sound and timely decisions.

To achieve this concept of our future Army, we have established, at the Department of Army Staff level, a Systems Manager, Brigadier General Bill Fulton, to coordinate all Army activities in this field. We have done this because of problem complexity. We are dealing with systems that are fundamental to the Army—its doctrine, its organization, and its equipment. We are on the threshold for the first time in achieving maximum utilization of both our firepower and our mobility. In order to succeed in this effort, we need the scientific and engineering support of both the military and the industrial communities.

To complement the systems management, we are establishing at Fort Hood a test facility through which new equipment, new organizations, and new techniques can be subjected to experimentation, adaptation, evaluation, and integration. This facility will be headed by Major General Jack Norton who will report to the Project Director, Lieutenant General Bev Powell, III Corps Commander and Commanding General, Fort Hood.

Hundreds of years were required to achieve the mobility of the armored division. A little over two decades later we had the airmobile division. With cooperative effort, no more than 10 years should separate us from the automated battlefield.

Some will say that this is an unrealistic expectation. Some will say that the current experience in Vietnam, in which the infantry continues to bear the brunt of combat, does not support this visualization of the future. History tells another story. The experience and technology at the time of the British Mark IV tank at Cambrai in 1917 and the H-34 helicopter in the fifties provided the evidence to define the future of these systems.

I believe our future path has been clearly blazed.

We will pioneer this new dimension in ground warfare and develop an integrated battlefield system. The United States Army will again lead the way. Our young officers and NCO's will accept the challenge.

#### SERMON DELIVERED AT WHITE HOUSE BY REV. ALLAN R. WATSON, CALVARY BAPTIST CHURCH, TUSCALOOSA, ALA.

Mr. STENNIS. Mr. President, on Sunday, September 28, 1969, the Reverend Allan R. Watson, pastor of Calvary Baptist Church, Tuscaloosa, Ala., delivered a splendid sermon at services at the White House at the invitation of President and Mrs. Nixon. I was privileged to be present to hear the stirring message.

The Reverend Dr. Watson's sermon was entitled "One Nation Under God." It was strong in spiritual values, and full of wisdom couched in terms of common-sense.

Mr. President, the sermon contains so much of value that it should be made available to all the people of the Nation. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

## ONE NATION UNDER GOD

(By the Reverend Allan R. Watson, pastor, Calvary Baptist Church, Tuscaloosa, Ala., preached at the White House, Sunday, Sept. 28, 1969)

In an address delivered at General Beadle State College in South Dakota, our beloved President Nixon stated, "We have seen too many patterns of deception; in political life, impossible promises; in advertising, extravagant claims; in business, shady deals; in personal life we all have witnessed deceptions that range from the little white lie to moral hypocrisy; from cheating on income taxes to billing insurance companies. In public life, we have seen reputations destroyed by smear, and gimmicks paraded as panaceas. We sorely need a new kind of honesty that has too often been lacking, the honesty of straight talk." And on another occasion the President wrote, "I think some of our voices in the pulpit today tend to speak too much about religion in the abstract rather than in the simple personal terms which I heard in my earlier years. More preaching from the Bible rather than about the Bible is what America needs."

Therefore, in the light of this wise counsel and above all in keeping with my divine commission, I call to your attention this straight talk from God's Word, with the prayer that it may give the needed inspiration and guidance to you, who hold the destiny and well being of so many millions in your hands. We read in the 5th chapter of 1 Peter, "Humble yourselves therefore under the mighty hand of God and in due time he will exalt you; cast all your anxieties upon him for he cares about you. Be sober, be watchful. Your adversary, the devil, prowls around like a roaring lion seeking to devour. Resist him, be firm in your faith, knowing that the same experience of trial and suffering is required of your brotherhood throughout the world. And after you have suffered a little while the God of all grace who has called you to his eternal glory in Christ will himself restore, establish, strengthen and settle you. To him be glory and dominion forever and ever, Amen."

Reflecting upon the tremendous problems facing us today, problems such as strained and frequently ruptured international relations, racial tensions and divisions, campus disorders, and general moral decay, I for one am inclined to agree with the sentiment expressed in an old country ballad, "I've enjoyed about all of this I can stand." Or perhaps your feelings are voiced more clearly by a current hit, "Life ain't easy for a boy named Sue." Undoubtedly there are times when, burdened by the indescribable responsibilities of his office, and pressured by public opinion for omniscient and omnipotent action, our gracious host for this family worship service, would like to sing a chorus of his own "Life ain't easy for a boy named Richard." Come to think of it, life isn't easy for any one of us, and upon more serious reflection we would have to confess that probably it is best that it isn't so for we are challenged thereby. As a coaching friend often says, "when the going gets tough, the tough get going." Yet, we long for a better day, a day of restoration, of stability, of peace. A day for the realization of man's personal and national ideals, a time for the securing an abiding stability with adequate resources, and for the securing of peace. Such a day is or should be the hope of each man and the goal of our corporate life. Beloved this glorious prospect is presented in the scripture read a few moments ago and should capture our imagination, compel our interest, and command our attention.

One of the wonderful things about the straight talk of the Bible is that it not only presents seemingly unbelievable possibilities, it also sets forth clearly the way whereby these hopes and dreams may be realized. Si-

mon Peter, a man cut from the same cloth as you and I, with the added advantage of having done graduate work with the Master Teacher, reveals the way in these words, "Humble yourselves under the mighty hand of God."

Humility is a rare commodity indeed in our day. In an age of unparalleled scientific development, when man has moved from a stroll in the park to a walk on the moon. In a day the secularist dreamer worships himself in the laboratory cathedral. At a time when man is enamored with his tremendous achievements to the extent that he is convinced that in him dwells all good, and believes that wrong exists only in systems, institutions, and in the distribution of goods. In such a time as this, humility doesn't come easily. As long as man refuses to humble himself, he will continue to seek and to follow that which Gilbert Chesterton called, "Cures that don't cure, blessings that don't bless, and solutions that don't solve." The spirit that will open the door to a new day will come only as we look at ourselves in the light of God's perfect revelation of Himself and of His will for us in the Person of Christ. Then, and then only, will we cry out with the ancient prophet Isaiah, "Woe is me, for I am a man of unclean lips, and I dwell in the midst of a people of unclean lips."

Now I do not wish to be misunderstood in what is being said or in that which I believe is set forth in this portion of God's Word. There is much which man can and should do to help usher in this longed-for new day. We must plan, we must have political machinery, there must be laws enacted, and social programs formulated. However, never let us forget that it is changed men that produce a changed society. Also, let us remember that man is not simply a creature of his environment. Rather through the power of God he may become the creator of a more favorable and desirable environment. In the light of these facts the making of a new man must be our magnificent objective, and he who has eyes to see recognizes this as a task for the divine and not for man alone.

The Greek dramatists used as a guide in their writing this principle, "never inject a god into a play until there is no other way out." Friends, it is my conviction that we have reached the hour when we must let God step on to the stage. We have kept Him waiting in the wings all too long. It could be that we have even lost Him in the discarded props of yesterday's productions. He must get into the act. Hence, if our civilization is to survive, it is imperative that individually and as a nation, we must give the more earnest heed to this solemn admonition: "Humble yourselves therefore under the mighty hand of God."

During the administration of the late President Eisenhower, he and his wife were worshipping on Sunday in the New York Avenue Presbyterian Church of Washington. At this particular service, the minister, The Reverend George Docherty, expressed the thought that in his opinion it was only fitting and wise to add the words "under God" to the Pledge of Allegiance offered the flag of our country. The President and a large number of Congressional leaders responded to this challenge and today we proudly express our love and loyalty for "one nation under God." However, it is not sufficient merely to add words. The noble thought which they represent must be understood and acted upon. What is the significance of the expression "one nation under God?" It is not an echo of the idea embodied in our text, where the Apostle urges us to "humble ourselves under the hand of the Almighty." Do not these words mean that we should recognize the vital spiritual forces that were at work in the heart and life of those who founded our nation and constituted this Republic? Does not it imply that we are to

manifest a continuing dependence upon God?

These truths we readily acknowledge and yet another more searching and revealing question must be faced. Namely—Ours shall be a nation under what kind of God? Shall it be a deity of our own creation, one who is but a reflection of our own personal desires, prejudices, and inflated egos?

Shall it be a God who is but a prominent figure of the past with little understanding of relevance to our present challenges and problems. More than a decade ago, the British Theologian, J. B. Phillips, gave the answer to these questions in a simple little book, "These gods are too small." The cry of the needy and oppressed and the crises of our day demand a personal, living, and loving God. This God, who cares, Simon Peter met as he walked the shores of Galilee centuries ago. This very one must be and longs to be our God and guide today.

Calvary Baptist Church of Tuscaloosa, Alabama, in which I am privileged to serve as pastor, is located adjacent to the campus of the great University of Alabama, home of the Crimson Tide. Upon leaving my office one Monday morning, I chanced to glance into the sanctuary of our church and noticed a student standing behind the pulpit looking first in one direction and then in another. He said nothing but continued to look this way and that. After a few moments reluctantly the silence was broken by my question, "May I help you?" The young man answered, "I'm looking for God. I must find Him now." This wasn't the utterance of a mentally deranged man, one whom the pressures of life had driven to the point of emotional breakdown. Rather it expressed the need of a University senior, completely competent, but feeling deep within the restlessness and hunger for God of which Augustine did speak. Indescribable joy was mine as I endeavored to help him find the One whom he sought. Not a God of the mystics but the God whom I and millions of others had met in the Master. Not a god created by man's imagination or fashioned by his fancy, but the God of Abraham, Isaac, and Jacob, the God "who so loved the world that he clothed himself in human flesh and came and dwelt among us. The Promised Messiah, the Christ, who by his death and resurrection brings life and immortality to those individuals who trust him."

Under the mighty hand of such a God our nation, and we as individuals, can experience a new birth of freedom. Without Him, who is the Light of the world, man's brightest ideas and most radiant schemes can only add to the blackness of the night. Without Him, the Lily of the Valley and the Rose of Sharon, society's garden, sown with the seed of man's most noble thoughts, tilled by his unceasing efforts, and watered by the sweat of his brow, can have little beauty and will ultimately end in desolation.

A simple experience from the life of Lord Shaftsbury, a noted British philanthropist, statesman, and social reformer, might well summarize and bring into clear focus the teaching of this portion of God's Word and the point of this message. Almost a century ago, the Christian gentlemen was standing at a busy London intersection. His attention was fixed upon a little girl who obviously was desirous of crossing one of the streets. Sensing her need of help she looked intently at a number of men and women but spoke not a word to them, allowing them to go on their way. After a few minutes, Mr. Shaftsbury, whose countenance reflected the concern and compassion of his heart, started to cross the street. Quickly the little girl looked at him and cried out, "Mister, can I walk across the street with you?" He extended his hand and she placed her small one in it and together they walked confidently and safely. Upon reaching the other side of the street, Mr. Shaftsbury



paused and said, "Little Lady, I noticed you looking at a number of people before asking me to help you. Why did you ask me and not them?" "Well, sir," she answered, "you looked so good that I felt that I could trust my life in your hands."

Ladies and gentlemen, one stands at the dangerous and demanding crossroads of our life today. Being a gentleman He waits for us to invite Him into our lives. He listens for our cry for help. Gazing upon His nail-scarred hands extended in unfathomable love, we too, should be convinced that we can trust our lives and the future of our Republic to His care and leadership. Then, as He dwells within us and the light of His Truth permeates our plans, illumines our thoughts and shines through our lives, the lamp of liberty and justice for all will burn more brightly beside and within the golden door.

#### DEPARTMENT OF COMMERCE GOLD MEDAL AWARD TO WILLIAM L. TILSON

Mr. ALLEN. Mr. President, as the Senators will remember, the gulf coast areas of the United States were dealt a disastrous blow in August by Hurricane Camille. Great loss of life and property damage resulted from history's most ferocious storm.

Much of the credit for saving countless lives goes to William L. Tilson, meteorologist in charge of the Environmental Science Services Administration's Weather Bureau Office in Mobile, Ala.

On October 14, Mr. Tilson was awarded the Department of Commerce's Gold Medal for his outstanding weather warning service during the approach of Hurricane Camille.

The Honorable Maurice H. Stans, Secretary of Commerce, presented the award to Mr. Tilson during the 21st annual honors awards program here in Washington.

Mr. President, I ask unanimous consent that the Department of Commerce news release concerning Mr. Tilson's award be printed in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

A DEPARTMENT OF COMMERCE NEWS RELEASE,  
OCTOBER 14, 1969

WASHINGTON.—William L. Tilson, Meteorologist in Charge of the Environmental Science Services Administration's Weather Bureau Office in Mobile, Ala., today received the Department of Commerce's Gold Medal for his outstanding weather warning service during the approach of Hurricane Camille to the Gulf Coast in August of this year.

This Distinguished Federal Service Award was presented to Tilson by Secretary of Commerce, Maurice H. Stans, in the Twenty-first Annual Honors Awards Program held in Washington, D.C. Tilson was cited for his excellent pre-storm planning and staff leadership which resulted in exemplary team effort by the staff of the Mobile Office. By providing a continuous flow of vital warnings and information to all areas, including isolated and outlying districts, which permitted an early and orderly evacuation and prevented panic from arising, the Mobile Weather Bureau Office is credited with saving countless lives during the disaster.

Tilson, a native of the Asheville, N.C., area, began his Weather Bureau career in 1930 at Macon, Ga. In addition to his three assignments in Mobile, the last beginning in 1949, Tilson has been stationed at the National Hurricane Center when it was located in

Jacksonville, Florida; at Pensacola, Florida; Nashville, Tenn.; and Raleigh, N.C.

He is a graduate of the University of North Carolina, and has done postgraduate work at the N.C. State University, Raleigh, and Spring Hill College, Mobile.

He and his wife have two daughters, Jane and Barbara, both students at the University of South Alabama in Mobile.

#### TAX REFORM NO. 2: DEMOCRATIC STUDY GROUP TAX REFORM BOOK

Mr. METCALF. Mr. President, today I am making available to Senators the second of eight parts of the Tax Reform Fact Book prepared and published by the Democratic Study Group—DSG. As I announced yesterday, this valuable research tool has been updated at my request to reflect final action on tax reform in the House. The section I shall place in the RECORD today discusses the taxation of oil, gas, and minerals.

Since this section of the fact book was prepared, the administration has softened its April proposals in this area. For example, the administration now recommends that if a taxpayer derives 60 percent or more of his gross income from oil and gas properties he should not have to include his intangible drilling expense deduction as an item of tax preference for purposes of the limit on tax preferences.

The House bill would eliminate percentage depletion with respect to foreign oil and gas production. When administration officials testified before the Committee on Finance last month, they recommended this provision be deleted from the bill.

As I mentioned yesterday, the full text of the statements and recommendations of the administration are contained in part 1 of the hearings before the Senate Finance Committee. It is unfortunate that the administration was unable to provide us with its technical memorandum on the tax reform bill sooner. As it turned out, that memorandum was received by the committee just 3 days before the hearing record closed despite the request of the chairman of the Finance Committee (Mr. LONG) on September 4 that it be made available in time for public witnesses to address themselves to the specifics of the administration's position.

Mr. President, I ask unanimous consent that the section of the DSG Tax Reform Fact Book which discusses the tax treatment of oil, gas and minerals be printed in the RECORD. On Monday, I shall discuss the section which relates to capital gains.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

#### DSG TAX REFORM FACT BOOK: SECTION ONE—OIL, GAS AND MINERALS

##### ELIMINATE DEDUCTION FOR INTANGIBLE DRILLING COSTS FOR PETROLEUM PRODUCERS

###### The problem

Oil companies for many years have deducted as current expense certain exploration and development costs which, by most criteria, would be considered investment in capital assets subject to gradual depreciation. This deduction, referred to as intangible drilling costs, results in a substantial and

immediate writeoff of capital. It has evolved by administrative decision rather than Congressional action.

###### Present law

Costs of labor, materials and other goods incidental to drilling are deductible as intangible costs of drilling against gross income in the first year. Other oil and gas industry expenditures that can be immediately expensed (rather than capitalized) include dry hole costs, lease rentals, and production costs.

###### Pending proposals

The many reform bills introduced in the House this session do not attempt to deal directly with the intangible drilling costs provision.

###### Revenue impact

Treasury estimates \$750 million a year in new revenue would be raised initially in closing this loophole. Later, however, revenue gain would drop to about \$300 million as drilling costs are offset against the percentage depletion allowance.

###### Proponents and opponents

Opposition to this change is centered in the petroleum industry, which alone enjoys its substantial benefits.

###### Administration action

The Administration proposed making the intangible drilling deduction subject to the Limit on Tax Preference (LTP) provision to the extent it exceeded the deduction that would have been allowed under straight-line depreciation and capitalized.

###### House action

Although intangible drilling costs were put under the limit on tax preference provision of the bill at one point by the Ways and Means Committee, the bill as reported did not include this change.

The new minimum tax provision in the bill would apply to some income that now escapes taxation under the intangible drilling costs deduction.

###### Resource references

See Ways and Means hearings, Volume 9; Treasury Studies, Parts 3 and 4.

#### TREAT CARVED-OUT AND RETAINED PRODUCTION PAYMENTS AS LOANS

##### The Problem

A production payment is similar to a loan with oil, minerals, or some other underground resource used as collateral. Proceeds of these transactions, however, are treated as income for tax purposes, making substantial tax avoidance possible.

The transactions are used to juggle income from one year to another, enabling a company to inflate its income one year and have a self-induced loss the next. This makes it possible to circumvent statutory limits on percentage depletion, loss carry-forwards, intangible drilling costs, investment credit, and foreign tax credit.

In a *carved-out production* payment, the owner of the interest sells the payment to an outside party, usually a bank or other financial institution. In a *retained production* payment, the owner sells the working interest but reserves the production payment in himself.

###### Present law

Under present law buyers of *carved-out* production payments treat them as income subject to a deduction for depletion. Amounts used to compensate the owner for the production payment are excluded from his income during the payout period. Expenses of producing that income, however, are deducted in the year incurred.

The owner of the *retained production* payment receives depletable income during the payout period. The buyer of the working interest excludes from income amounts used to pay off the production payments during the same period.

*Pending proposals*

The many reform bills introduced in the House this session do not attempt to deal directly with the production payments provision.

*Revenue impact*

A Treasury study estimates the change, when fully effective in 1979, would increase revenue \$200 million a year.

*Proponents and opponents*

Main opposition to changing the tax status of production payments is coming from the oil and gas industry. The American Mining Congress and other extractive industry groups also oppose this change.

*Administration action*

The Administration proposal would treat production payments as loan transactions. As a result the owner of the mineral interest subject to the production payment would be required to take income and expenses relating to that payment into account in the same taxable year. The proposed change would be effective for transactions on or after April 22, 1969.

*House action*

The House bill treats both carved-out and retained production payments as loans. As a result of this change, carve-outs would not accelerate income and therefore would have no effect on the net income limitation on the percentage depletion deduction, on the limitation in the case of foreign tax credit, or on the 5-year net operating loss limitation. The property in retained production payments would be considered as being transferred subject to a mortgage. As a result, the owner of the working interest would be treated essentially in the same way as anyone buying a business asset subject to a mortgage.

*Resource references*

See Ways and Means hearings, Volume 9; Treasury Studies, Parts 2 and 3.

REDUCE THE TWENTY-SEVEN-AND-ONE-HALF PERCENT OIL DEPLETION ALLOWANCE AND OTHER ITEMS ELIGIBLE FOR PERCENTAGE DEPLETION

*The problem*

Percentage depletion, the tax loophole that blazed the trail for all the others, is almost as old as the income tax itself. It was first adopted in 1926 as a substitute for a difficult-to-administer depletion allowance based on "discovery value." That allowance had been put into effect eight years earlier to spur the search for oil supplies needed in World War I.

Under the law that has stood since 1926, any oil or gas producer, or anyone with a financial interest in a well, qualifies for depletion at the 27½% rate. Since the allowance has no relationship to cost, the operator of a producing well eventually recovers his investment many times over. Percentage depletion has been extended since 1932 to a long list of resources ranging from oyster shells to iron ore. Oil and gas depletion, however, accounts for 75% of all depletion allowed and stands out as the best-known symbol of tax privilege in the public mind.

*Present law*

The oil depletion allowance permits the owner of an oil well to deduct each year from his taxable income 27½% of the gross value of the oil produced, provided it does not exceed 50% of the net income from the well. Similar provisions apply at rates ranging from 5% to 27½% for gravel, copper, and nearly 100 other eligible resources.

*Pending proposals*

Several pending bills call for cuts in percentage depletion; a few would eliminate it completely. H.R. 5250 (Reuss and others) would reduce oil and gas depletion to 15% with proportionate cuts for all other resources eligible for percentage depletion.

Identical or similar proposals are H.R. 229, 1039, 1119, 1379, 2142, 3655, 6770, 7040, 7045, 7346, 7585, 8144, 9195, 9479, 9759, 9852, 10237, 10253, and 11782.

*Revenue impact*

Complete elimination of the depletion allowance for both corporations and individuals would increase income tax revenue about \$1.3 billion a year. Reducing the allowance from 27½% to 15% on domestic oil and mineral recovery and eliminating it entirely on foreign oil and mineral recovery would produce a revenue gain of about \$600 million a year, according to Treasury. Reducing the allowance to 20% on domestic oil and gas, cutting allowances proportionately on other eligible resources, and eliminating entirely the allowance on foreign production, would increase annual federal revenues about \$450 million (\$400 million domestic, \$50 million foreign).

Treasury witnesses said it is difficult to assess the impact of cutting the depletion allowance because of the related effect of such tax-reducing factors as the intangible drilling cost reduction, production payment transactions, and the foreign tax credit.

*Proponents and opponents*

The main opponent of depletion allowance cuts is the oil industry. Testimony opposing cuts also came from such organizations as the Oil Shale Corporation, American Mining Congress, and American Iron Ore Association. The American Farm Bureau Federation also opposed changes in depletion allowances. Both the AFL-CIO and UAW want the depletion allowance eliminated after property cost is written off.

*Administration action*

The Nixon Administration did not recommend depletion allowance cuts to Congress. Nor did it commit directly on the possibility or desirability of cuts.

*House action*

The House voted to reduce the 27½% oil depletion allowance to 20%, to discontinue its use on foreign production, and to scale down percentage depletion on most other eligible resources. It excluded several minerals—gold, silver, oil shale, copper and iron ore—from the proposed cuts. They are in the 15% depletion category.

*Resource references*

See Ways and Means hearings, Volume 9; Treasury Studies, Parts 3 and 4.

**THE PESTICIDE PERIL—LXVII**

Mr. NELSON, Mr. President, a regional natural resources committee, representing the five Upper Great Lakes States, has demanded immediate action to stop pesticide contamination of the Great Lakes basin "by any and all means available."

However, according to an article published in the Lansing, Mich., State Journal of September 11, 1969, the Governors of these same five States have asked only for a "phasing out" of these persistent pesticides as alternative controls are discovered.

There is no need for a gradual phasing out. Safe, effective alternative methods already exist. The State of Michigan is the only State of the five which has since banned the use of DDT. Since that ban was announced, it was learned that many of the alternative controls have existed for decades but have gone generally unused.

I ask unanimous consent that the article, written by James Phillips, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

**PESTICIDE CONTROL LAG SEEN LIKELY**  
(By James Phillips)

Despite the plea by the governors of the five Upper Great Lakes states to eliminate persistent pesticides, it appears unlikely that any drastic curtailment of their use will be accomplished soon.

The governors of Michigan, Wisconsin, Minnesota, Illinois and Indiana last week called for rigid restrictions to be placed on the uses of the chlorinated hydrocarbons and a phasing out of their use as soon as alternative methods of control become available.

The governors' agreements, however, did not reflect the urgency of a Natural Resources committee consisting of members of the five states to review the problem of environmental pesticide pollution.

The committee called for immediate action to be taken to eliminate the contamination of the Great Lakes basin "by any and all means available."

Of the five Great Lakes states, only Michigan has banned the general use of DDT. Bills to outlaw DDT or other hard pesticides in Illinois and Minnesota were defeated this year in their respective legislatures. A bill establishing a pesticide review board was approved by the Wisconsin legislature.

Legislators in Indiana apparently were not alarmed over the pesticide threat. No bills relating to pesticides were introduced in the Hoosier Legislature this year.

The governors' plan for a phasing out of hard pesticides in the Great Lakes basin is likely to simply be a replay of action taken in Michigan to ban the general use of DDT.

Agricultural interests at first said there were no alternatives available and thus postponed action on denying the registration of the pesticide. But when the general ban was announced and the alternatives named, it was discovered that some of the substitute pesticides had been around for more than a decade.

In some instances, the patent rights had expired on the chemical compounds.

Perhaps the most controlling factor in the gradual phasing out of hard pesticides will be economic. Insects which are presently vulnerable to the chlorinated hydrocarbons sometimes build up resistant strains and the immunity forces persons to turn to alternative methods of control.

But there is another potential danger looming on the pesticide horizon that is often overlooked because of the immediate problem of chlorinated hydrocarbons.

The possible problem is the widespread application of herbicides. The use of herbicides to kill or control weeds of other undesirable plants is expected to mushroom in the next decade.

Recently published papers dealing with pesticide pollution are starting to refer to the chlorinated hydrocarbons as insecticides. The action has an alarming inference to conservationists because it opens the door to a second type of pesticide pollution.

**BLACK REPARATIONS**

Mr. BYRD of West Virginia. Mr. President, the letters to the editor column of The Washington Evening Star of Monday, October 13, contained two important letters. In the correspondence, citizens from Maryland and Virginia gave their views on the recent demands of black militants that churches give money to Negroes for alleged acts of discrimination.

I ask unanimous consent that the letters be printed in the RECORD.

There being no objection, the letters



were ordered to be printed in the RECORD, as follows:

#### BLACK REPARATIONS

SIR: According to what I read in *The Star*, the Black United Front is now using Hitler's old *Mein Kampf* advice: "If a lie is big enough and repeated often enough, it will eventually be accepted as truth."

I am referring to the absurd claim that white churches owe black people reparations for past injustices, real or fancied. The truth of the matter is that the blacks owe the white people reparations for all the buildings they destroyed with their firebombs in April 1968. They owe the white people reparations for all the whites they have raped and murdered, stores and banks they have robbed.

Anyone who has ever visited Gettysburg, Pennsylvania can see for himself all the white soldiers who died as reparation for each drop of black blood drawn by a slave whip prior to the War Between the States. How much more reparation can they expect?

When one considers that most of the recipients of welfare are blacks, and the most of the non-paying patients in various big city hospitals across the nation are black, it is the height of insolence and arrogance for the Black United Front to demand any kind of reparations from any white organization whatsoever. And when they brand our police as "savagely Gestapo," they are using the Hitler big lie technique and prattling the Communist party line. If our police really were savagely "Gestapo," the crime wave would be over in about one month.

R. A. MULLEN.

FALLS CHURCH, VA.

SIR: Let's look at this matter of reparations which certain Negro organizations are demanding of churches. Presumably it is on the basis of what the white church members' ancestors did to the ancestors of the Negroes.

In the late 1850s John Brown went through Pennsylvania and New England urging people from those areas to move to Kansas, so that when a plebiscite was held, Kansas would be free and Negroes would not be in slavery. My ancestors left prosperous farms in Pennsylvania and went to Kansas for the express purpose of giving Negroes an equal opportunity to live as free men. The family never regained the affluence it had in Pennsylvania. Therefore I demand reparations from the Black United Front. I think \$50,000 would be about right.

This isn't all the reparations I want. I belong to a downtown church, although I live in the suburbs. A year and a half ago one of our best workers was attacked by two Negro youths who twisted and battered her shoulder so badly she will never be able to do the church volunteer work she used to do. A month ago another of our best volunteer workers was thrown to the ground, her skull fractured, and so badly injured that she never regained consciousness. I want reparations for my church for the loss of these volunteer workers. I think the Black United Front might owe us \$100,000 for that.

We used to have two strong evening women's groups, raising money for the church and doing volunteer work. Many of these women are afraid to come out now—there are too many criminal blacks on the street. Some of this work has had to be curtailed. I demand another \$100,000 from the Black United Front for that loss.

Let's get it straight as to who owes who reparations to whom for what! Those Negroes who go around demanding reparations could better spend their time training the Negro young in acceptable civilized behaviour. These black youngsters have as much potential as the white youngsters, but without proper training and example by their Negro elders, they won't realize it, whatever help white people may try to give them.

JANET M. JAMES.

Greenbelt, Md.

#### WHAT IS GENOCIDE?

Mr. PROXMIRE. Mr. President, the word "genocide" literally means the intentional destruction of national, racial, religious or ethnic groups.

Dating back to the sacking of Carthage or even earlier, this crime of crimes, as Dr. Raphael Lemkin, who coined the word puts it, "has repeated itself with the regularity of a biological law." But it was left to our generation to see it practiced on the largest scale by Nazi Germany; deliberately planned as state policy and carried out with every resource of science and complete absence of humanity.

The punishment of these abominable crimes, which shocked the conscience of mankind, became one of the main war aims of the allied nations. In 1945 the four great powers agreed that the persons responsible for the policy of Nazi Germany should be punished not only for violations of the laws or customs of war committed against civilian populations of occupied countries and for the crime of planning, preparing, and initiating a war of aggression, but also for crimes against humanity, committed against any civilian population before or during the war, or prosecutions on political, racial or religious grounds committed in connection with the war. Thus it was established that the treatment which a state, in this case Nazi Germany, meted out to its own nation, had ceased to be its exclusive concern but had become a matter of international concern. Consequently, the major war criminals and many of lesser rank in the hierarchy of Nazi Germany were found guilty and were punished for crimes committed against their own nationals. The action taken by the four allied powers and eventually by the Nuremberg tribunal was endorsed by 19 allied states and by resolutions of the General Assembly. It was felt, however, that penal repression of this kind should not be limited to acts committed in times of war and connected with war, but should be of universal application. Hence the idea of a special Convention on the Prevention and Punishment of the Crime of Genocide, irrespective of whether it is committed in war or in peace.

Mr. President, genocide shocked the conscience of mankind during the Second World War; and it must not shock us any less in 1969. This convention has lain dormant in the Committee on Foreign Relations for more than 20 years. To avoid the issue is to give credence to the crime of genocide. This must not persist.

#### DEDICATION OF THE WASHBURN UNIVERSITY LAW SCHOOL BUILDING

Mr. DOLE. Mr. President, on September 27, 1969, I participated in the dedication of a new building to house the law school of Washburn University at Topeka, Kans. The occasion was marked with appropriate ceremonies. The 10th Circuit Court of Appeals sat in extraordinary session in the school's moot courtroom, and the featured speaker at the dedication was Justice Byron R. White of the U.S. Supreme Court.

This event symbolized much more than the completion of a new structure, for the building it replaced, as well as much of the rest of the Washburn campus and a considerable portion of Topeka, had been destroyed by a catastrophic tornado in 1966. The opening of this building, indeed, represented the rededication and rebirth of a great institution and the great spirit which characterizes it.

I felt that Mr. Justice White's remarks were especially timely and well considered. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

#### REMARKS OF ASSOCIATE JUSTICE WHITE

Ladies and gentlemen, there are hundreds of buildings finished in this country every year and although many are beautiful and useful structures, most of them are put to use without the ceremony and attention which accompany the dedication of this new law school building. This is not to suggest that there is anything untoward or unusual in the proceedings which are occurring here in Topeka. On the contrary, what the people of Kansas are doing is what people all over this country do when a new school building, as distinguished from other structures, is ready for use. Like other buildings, school buildings may be stone and mortar, but they have special significance here in America, a significance making occasions like this an appropriate time for joy and satisfaction.

We in the United States have always had deep concern for the individual and his welfare. People, we increasingly realize, are our major resource. This basic conviction stems from two very different considerations. First is the notion that everyone should be free, and have a realistic opportunity, to develop his personal talents to the maximum possible extent, to improve his knowledge of the universe, to increase his powers of observation and appreciation and to maximize his physical and intellectual skills. This is part of the pursuit of happiness, a value in itself, carrying its own credentials and requiring no further justification by resort to utilitarian considerations.

Necessity and utility, however, make up a second powerful stimulus to our urgent efforts to educate and develop our people. Our ancestors knew that ignorant men could not be free, nor could they govern themselves as our Constitution assumed they could. The untrained mind and the unskilled hand could not provide an acceptable standard of living, could not manage and utilize our resources, could not understand or use the unfolding sciences and could not fathom or solve the problems of an enormously diverse and growing population living together as one people.

Fortunately, the need was recognized and early provision made. Education has had its problems, but it has steadily grown in both the public and private sectors. In this century, it has mushroomed until our total budget for private and public education at all levels of government is now well over 50 billion dollars a year. This represents a massive investment in people, but an investment which has paid for itself many times over, as our gross national production so clearly indicates.

The truth is that our affairs have become so complicated that without the sophisticated mind and a reservoir of highly educated people, we could not exist today. As far as education is concerned, we have no choice but to make sure that every generation has the chance to equip itself for existence in today's world and to make sure that the search for well motivated talent among all our people does not subside. There is also the excruciating fact that

some of our major, more important problems have stumped the present adult generation, as well as those preceding it and apparently will be solved only by the young and their children if, that is, they can develop a new order of dedication and intellect.

Our developing experience also proved the need for lawyers and professional post graduate schools to train them. The federal and state constitutions created complex governmental structures and characteristically placed serious limitations on governmental powers vis-a-vis the people. Lawyers, if anyone, were to understand and make the system work, especially since the courts were to play a major role in implementing the basic principles of our system and since lawyers were responsible for bringing and managing this litigation. Of course, like all civilized countries, a system of laws regulating human conduct was essential and for their proper drafting, enactment and enforcement lawyers were indispensable.

Today, there are some 140 accredited law schools, with full and part-time faculty totaling approximately 4,000, a student body of 63,000 and graduating classes totaling 16,000. There are well over 300,000 lawyers licensed to practice law in the 50 states and the District of Columbia. At least 40,000 of them are in government service, including about 10,000 judges. Over 30,000 are employed by private concerns. The remainder are in private practice, perhaps 40,000 in large firms, 80,000 in smaller firms and the rest, say 115,000, are individual practitioners.

One cannot help but be proud of the contribution which lawyers and law schools have made in the process of building this great country and in arriving at the point on the domestic front where we are not so much concerned about sheer subsistence and survival but by the quality of our lives. I do not suggest that the millennium has arrived, for we have unsolved problems for which lawyers and law schools share the responsibility with the public at large. These problems, and the list is long, represent the frontiers of the law, just as they mark the frontiers of some other disciplines. Bringing some order into the international community, where large scale violence is not uncommon; understanding and managing an explosive population growth all around the world; realizing and doing something about the environment on which we depend for the basic necessities of life; solving the enigma of racial hatred and conflict—these are just some of the issues that our generation and those who preceded us have not been willing or able to resolve and which are necessarily of great concern to the modern law school and the modern lawyer.

The time has long since passed when the law school could view the law as a body of prescriptions handed down from on high and limit its function to teaching its intricacies to students who in turn would feel no responsibility for the substance of the law or for the institutions from which it came. Lawyers man all of the courts and of course they must know the procedures by which decision is made and the rules and principles by which cases are decided. Understandably, law schools have focused heavily on the courts, teaching the law by analyzing cases decided in the courts and having on their faculties experts in state and federal court procedure. My own observation has been that almost any community has lawyers who are extraordinarily skillful in the courtroom and who are wholly competent to try questions of fact as well as issues of law which arise under a great variety of state and federal regulatory statutes. But the responsibility of lawyers and law schools has a broader sweep.

Insofar as their duties relate to the courts, both the law school and the practicing bar could do better than they are doing with

respect to at least two very large matters. Both are important to everyone and to judges in particular. The first pertains to constitutional litigation, that is, to those cases where construction and application of the United States Constitution are involved. Characteristically, the claim in these cases is that a federal or state statute or regulation, or some other official act, such as an arrest, a search, or a criminal conviction itself, is contrary to some provision of the federal constitution. Under that document, courts are empowered to adjudicate such claims. The issues are more often than not of great importance, having impact far beyond the case and the parties before the court. Does the First Amendment forbid actions for libel and thereby insulate a deliberate falsehood injuring a person's reputation? Does the First Amendment permit public aid to parochial schools or prevent officially prescribed prayers in public schools? Does the Equal Protection Clause forbid racial segregation in public facilities or control the apportionment of legislative business? Does the Fourth Amendment, which forbids unreasonable searches and seizures, permit official wiretapping in law enforcement? The majestic language of our Constitution does not furnish automatic or unarguable answers to these questions. The area of possible choice for the courts is frequently quite wide. The result is that the great bulk of what is known as constitutional law has been fashioned in the courts in the process of deciding individual cases requiring interpretations of particular constitutional provisions.

The impact and significance of the process of judicial review, as it is called, is immense. Unquestionably it is desirable that the process be structured to produce sound decisions which will stand the test of time. Ideally, the country's best thinking should be brought before the court in all of these cases. Ideally, if economic and social facts are relevant to the issue, they should be presented to the court if they are available or can be obtained.

Criticism of court decisions is a popular pastime. Law schools and law school professors are especially adept at it. This is as it should be. Court decisions are public property and constructive comment not only proper but highly useful. But if it is helpful to examine the results of the process, what about the process itself? I have a feeling—but I would be hard put to prove it—that both the law schools and the organized bar could do much more than they have to make sure that the format of constitutional litigation is designed to bring all relevant and useful considerations to the attention of the court, particularly in important cases having wide ramifications. I would suppose a law school would find it most interesting to maintain an ongoing audit of judicial review aimed at assessing and improving it as one of the major decision-making mechanisms in our system of government. It would be a large undertaking, but large matters are at stake.

But if a continuous study of constitutional litigation offers fertile ground, so does the matter of litigation generally. To say that our courts are in trouble and have been for some time is shopworn talk. But it remains true that they are in trouble. In many sections of the country caseloads are and have been out of hand. The time between filing and disposition has become unacceptably long. There have been countless ad hoc studies of the problems and the recently established Federal Judicial Center has great promise. But I am convinced in my own mind that in the long run judicial administration, like public administration generally, must become a course of study in our universities and that students be exposed not only to law and litigation but to the principles of management and adminis-

tration which have proved themselves in other fields. Lawyers are sometimes said to resist intrusion from other disciplines but if litigation is to continue as a viable mechanism in this country, something besides good lawyers with those legal skills typical of today will be required. Obviously, the question is of utmost significance to the law schools.

I have been speaking of litigation and the decisionmaking process in the courts. But this affords only a narrow view of the law or of legal education. Much more law is made and changed in other quarters than is made or changed in the courts. Our constitutions vest exclusive legislative power in the legislatures and vast areas of law-making authority are in turn delegated by legislators to the executive branch of the government to the growing list of administrative agencies and even to some semi-private associations. Decisions originating in these other sources not only have great significance to everyone but involve the services of many, many lawyers. The private practitioner's clients often have as much need for services in connection with legislation, regulations or administrative practice as they do when they are parties to cases in the courts. If this is true, one might expect the law school to be as expert in the legislative and executive decision-making processes as they are with respect to litigation. But I suspect that this is not the case. Good law school courses in the legislative process are few and far between and the typical course in administrative law deals more with what can happen to the administrative decision when reviewed in courts than what happens or should happen in the agency or department. Law schools can't teach everything, but those licensed to practice law should know more than they do about how the law is made or changed in the legislative halls and the vast reaches of the executive branches of the federal and state governments. The courtroom model of decision-making is not the only way problems are resolved and, as a practical matter, it cannot be.

Ladies and gentlemen, as the population has grown and science and technology flourished the law has come to touch more and more areas of human conduct. Not surprisingly, the practice of law is as diverse as the law itself. Complexity has made specialization the rule rather than the exception; but even so, a great many lawyers, both in the city and the country, and in both large and small firms, still must cope with a wide range of problems, some involving only counseling but others requiring negotiation, litigation or some other technique for resolving conflict. But whatever a lawyer may do, whether he is a specialist or not, it has become increasingly important that he be familiar with the basic principles of several nonlegal fields, or what is even more important, with the methodology by which practitioners in those fields arrive at their important conclusions. Lawyers, to be effective, must develop further the capacity and the technique of digesting and putting to use the learning from other disciplines which is relevant to the solution of legal issues. We cannot consider the law to be a sterile, self-contained enterprise. One of its basic functions is to serve the needs of man. Law schools, like the lawyers they train, must have this fundamental proposition constantly before them. The result may be to keep legal education in constant flux, but changes in the social order inevitably changes the role of lawyers and hence of the schools which purport to train them.

I am impressed with what I have seen here at Wendham. Only energy and vision could have produced this building and those same qualities, I am sure, will be powerful influences towards continuing a relevant and vital educational enterprise in this beautiful structure.



## AMERICA'S GREATEST CHALLENGE

Mr. HATFIELD. Mr. President, many have spoken of the need to concern ourselves with the ever-increasing pressures and problems being created by the expansion of the world's population. In past references to overpopulation our minds immediately reverted to the developing countries, and we remembered such unbelievable statistics as the fact that 10,000 people die each day due to starvation, that seven out of 10 children in the "third world" suffer from malnutrition and that there is an average of only one doctor to every 4,000 people in the developing part of the world.

Today, however, we are beginning to realize the overpopulation is also posing a direct threat to the future course of the United States. This summer President Nixon became the first President to ever deliver a message to the Members of Congress pleading for an increased national effort to bring domestic and world population under control. The message brought home a much needed perspective on the population problem. The number of people of a nation is an integral factor influencing the economic and social development in nations—and, in brief, the quality of life is probably the prime factor influencing the quality of a nation's people. As long as a nation's prime occupation is with providing enough food to fill the multiplying number of mouths, the other problems from which communities suffer cannot be given adequate attention. As long as a nation's next consideration is one of providing enough space to accommodate its people, there is no opportunity for addressing the betterment of individual lives.

In meeting the emergency of the mounting problem, I strongly support the President's proposal for a national mobilization of resources and intellects in the formation of a Commission on Population Growth and the American Future and his suggestion for working through the United Nations as an administrative agency for effective world-wide population control programs.

My colleague in the House, the Honorable WENDELL WYATT, has spoken eloquently on this subject at the recent Oregon State convention of the AFL-CIO on September 26, 1969. I recommend this speech to my colleagues here in the Senate as a most rational and thorough appraisal of the population problem and the implications that it holds for us in the United States.

I ask unanimous consent that Representative WYATT's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

## AMERICA'S GREATEST CHALLENGE

(Speech by Congressman WENDELL WYATT, Republican, of Oregon, before the State Convention AFL-CIO, Portland, Oreg., September 26, 1969)

It was a coincidence, but it was a real coincidence, that at the very moment man was setting his historic foot on the moon for the first time, President Nixon sent to Congress a message stating that the human race was disastrously overpopulating the earth. The irony is that this great human feat, ac-

complished at the most of many billions of dollars, offers no possible help in solving what must be the greatest challenge the world now faces, and certainly America's greatest challenge.

Unless we all become painfully aware of this problem, unless we devote great thought and action toward the solution of this problem, the seemingly insoluble problems of great magnitude which we face from day to day will become unimportant by comparison.

For the first 1600 years since Christ, the earth's population doubled from 250 million to 500 million. It took 100 years for the earth's population to double from one billion to two billion, which was achieved in 1930. Only 30 years later we added a third billion, and our world's population will be four billion in a period of just fifteen years, by 1975. At this rate in thirty more years, by the year 2000, the earth's population will be seven billion persons. After that it is predicted that one billion people will be added to our population at least every five years. We are literally turning our planet into a human ant hill.

Let's direct our attention to the population of the United States, and our problems in just the next thirty years.

It seems to be agreed by those in this business that our own population will increase by 50% in the next 30 years. By the year 2000 the United States will add an additional 100 million persons.

While we are struggling with the problems of the earth, what must we do in connection with the population problems of the United States?

The moon landing has inspired many of us with the confidence that there is no limit to our capabilities, once we set a national goal and make a genuine national commitment. In 1976 we will celebrate two centuries as a nation. Centuries filled with assorted challenges, the shaping of the nation, the winning of the West, the building of an industrial civilization—challenges that have at times drawn us close to greatness as a people.

As we rapidly approach 1976, we should and we must identify and set our goals for the future. What should these goals be? Fatter bottoms for everybody? A power boat for every family? TV sets in every car?

It is clear to me what our greatest task, our greatest challenge is. Physical America, the imprint we have made on the environment in America, is a mess. We are near strangulation in our own pollution; lack of zoning and careful planning has left our countryside a mish-mash; most of our major cities are sliding toward disaster; the center cities are festering sores.

Based upon population migrations of the past ten years, we are racing toward a society which promises that by the year 2000 the twenty largest cities in this country will be ninety percent black, surrounded by an iron ring of white suburbs. This prospect to me is intolerable. Add the problems of a 50% increase in our country's population, and you have so horrifying a projection that we simply must . . . and I say it is imperative . . . we must plan with vision, energy and the same kind of industry possessed by our forefathers to prevent this kind of America. Otherwise we will become a museum nation.

This challenge is as tough and exciting as any people in the history of our world have known. The goal must be: Rebuilding America.

We must build new cities. We must revitalize old cities. We must renew rural America.

The National Committee on Urban Growth has recommended the creation of 100 new cities with populations of 100,000, and ten new cities of one million people. And these new cities will only accommodate 20% of the increase in our own population during the next thirty years. Our challenge for new hous-

ing during this period is enormous. We would have to build the equivalent of a new city of 250,000 persons each month until the end of this century just to provide adequate housing for our present population and the one hundred million increase we know is coming during this time.

This is a goal which truly can lift and move our nation. It requires the same kind of vision, the picture of the future in our own minds, which inspired our own pioneer ancestors.

To accomplish this goal, all Americans must be motivated. This requires education as to the problem. That is why I am talking to the labor movement about this subject today. Labor has a great stake in this challenge. Your present and future members must be housed, fed, clothed, educated, and they must have jobs. If our country continues to decay, your movement will decay with it, and this we cannot let happen. So I say, spread the word, get excited, determine that you will make your contribution in this great task.

Growth on such a huge scale offers a matchless opportunity to bring about beneficial change. A time of growth is a time when shaping is possible. You can only shape children's teeth when they are growing. If we guide our growth wisely, we can change the face of America. We can replace blight with beauty. We can replace economic stagnation with dynamism. And we can eliminate once and for all those urban diseases which have proven so injurious to the human condition and the quality of life.

If we are to move toward new and more livable patterns of human settlement, we are going to have to bring some order out of the tangle of officials, actions that determine patterns of human settlement today. The men who determine the shape of our cities are the officials at local, state and federal levels who decide on the location of water, sewer and power lines, the location of highways, railroads, waterways and transportation terminals, the placing of state and federal facilities and so on.

Patterns of settlement are also affected, of course, by officials who defend tax inequities that discriminate against the city, who defend zoning practices that imprison the poor in the central city, who permit imbalances in welfare that promote migration.

But the characteristic of all who now influence patterns of settlement and population movement is that each is preoccupied with a splinter of the problem, and none is conscious of his impact on the total well-being of the society. It is that heedless every-bureaucrat-to-his-own-task approach to governing that has produced the present mess. We must have top-level leadership to provide us with an overview of all problems.

Both state and federal governments are already deeply involved in influencing patterns of human settlement—not always consciously or wisely. For some years now FHA mortgage insurance has been a significant factor in making the flight to the suburbs possible for middle-class homebuyers. The highway program has contributed to the growth of suburbia and exurbia. Federal defense and space contracts and installations have had a major impact on population movement in some regions.

The impulse toward more orderly planning has had some encouragement by the Federal government. Metropolitan and regional planning have been given considerable emphasis. But this is far short of a vast national enterprise involving the creation of many new cities, redesign of existing cities, and economic development of our rural areas.

A suggested approach, a first step but a necessary first step, should be the appointment of a Presidential Commission to make an official start in exploring the problem, formulating goals, identifying critical problems and proposing action. The commission should be directed to submit its preliminary recom-

mendations in twelve months. This twelve-month period would serve as a period of study, preparation and preliminary action for Congress, the states, cities and the private sector, with special emphasis on the contribution to this effort by organized labor.

Many will say this proposal is just for the creation of another federal commission, with the problem thereafter being swept under the rug and forgotten. But this is not my intention. Never have we faced a problem of this magnitude. We must proceed in an orderly manner, or we will fail.

Among the matters to be considered by such a commission would be the following:

1. Federal provision of financial incentives for state and local action.
2. Federal capital grants and low-interest loans to the cities for advance land acquisition.
3. Incentives to business and industry to locate in areas where growth is sought.
4. Careful provision for consultation between the federal government and state and local government on all forward planning.
5. The re-direction of present multi-state economic development and planning agencies.

6. Creation by the states, with federal help, of new statewide agencies with broad powers to plan new communities, to establish urban development corporations, to create "land banks," and so on.

7. Use by the states of their full authority to locate highways, air terminals, parks, hospitals, universities and so on in such a way as to implement a statewide plan for land use and population movement.

8. The development of sound patterns for the planning, building and governing of new communities.

To say that this is a challenge doesn't adequately describe its possibilities. Our future is full of challenges—moral, material, scientific, sociological, political. This one has attributes that make it almost uniquely exciting.

The sheer grandeur of it speaks to our condition. We need a lift of spirit as we approach the beginning of our third century as a nation. And it is a visible, concrete challenge. Among all the impenetrable complexities of our future, the task of rebuilding America has a kind of elemental comprehensibility.

It carries within it enormous potentialities for generating a new burst of economic activity. It would power our economy for decades to come.

This is a goal of moon-shot proportions. It is not a divisive goal. It is a goal which will generate by itself a fresh dynamism, literally millions of new jobs, and will lift the spirit of our people, uniting us as never before. This national commitment would provide the dynamic thrust our society has always had in the past but is in danger of losing. The scope and nature of the commitment is heroic.

It cannot be said too often that Americans are at their best when they are striving for something, when they are pursuing a shared goal. If we are not able to set some goals that stretch us as a people, goals that command our imagination, then we will slide into the torpor of the nations that are receding from history's forefront. And all the learned economists will be impotent to halt the downward skid of a nation that can't think of anything worth striving for.

In short, it is very much in the interest of all segments of our national life to set a great goal for the nation.

In one of John Galsworthy's essays there appears the following passage:

"On the eighth day of July in the year 1401, the Dean and Chapter of Seville assembled in the Court of the Elms and solemnly resolved, 'Let us build a church so great that those who come after us may think us mad to have attempted it.' The church took 150 years to build."

The proposal outlined here is not so generous of time. It gives us little more than 30 years to build our "church."

#### MARINE CORPS CLARIFIES ITS POLICY ON REGULATIONS

Mr. TALMADGE. Mr. President, I recently had placed in the CONGRESSIONAL RECORD an editorial column written by John Crown, of the Atlanta Journal, regarding Marine Corps policy on black power haircuts and salutes.

The Marines are naturally interested in clarifying their policy, which apparently was misinterpreted, at least to some degree, in news accounts. I have always been a great admirer of the Marine Corps, and I am glad to hear from the Assistant Commandant, Gen. Lewis W. Walt, that "no relaxation in our proven high standard will be condoned."

Mr. Crown has written a second column that puts the matter in better perspective. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

[From the Atlanta (Ga.) Journal, Sept. 22, 1969]

#### THE U.S. MARINE CORPS: HAIRCUTS, SALUTES, GESTURES AND DISCIPLINE

(By John Crown)

Earlier this month I recorded my dismay and shock at the Commandant of the Marine Corps, Gen. Leonard F. Chapman Jr., caving in to militant demands as though he were a college president.

I was particularly concerned at his singling out for dispensation the Afro-style haircut and the Black Power clenched fist salute. The Marine Corps must be a unified and cohesive force to retain its elite combat status. Differences must be minimized, not accentuated.

Apparently that particular column reached the hallowed halls of Headquarters Marine Corps for I have received a letter from the Assistant Commandant Gen. Lewis W. "Lew" Walt, a man with whom I served extensively throughout World War II; a Marine whom I hold in the highest esteem and regard.

Gen. Walt noted that "perhaps your editorial would have been less harsh on our Commandant had you had access to the full text of the ALMAR." For the benefit of non-Marines an ALMAR is an acronym for a message from All Marines—All Marine Commands.

After reading it, I'll concede that I would have been less harsh. I had taken my material from news stories in which the haircut and the salute had been given much prominence. Such was not the case in the ALMAR.

One paragraph said it clearly and completely:

"Each Marine must understand why the Marine Corps has always demanded the highest standards in military appearance, military courtesy and proficiency and why we will continue to do so. These high standards breed pride, and pride, in turn, builds the kind of discipline that is essential to battlefield success with minimum casualties. These qualities have always been the hallmark of Marines and no relaxation in our proven high standards will be condoned. For example, uniforms will be worn correctly with no nonregulation items in evidence; haircuts will conform to regulations, no more, no less; proper military salutes will be rendered on appropriate occasions; the high quality of professionalism must be exhibited in every assignment; breaches of good order and discipline will be dealt with fairly, expeditiously and firmly. This is especially true for those

Marines who instigate or execute violence against their fellow Marines."

But having said it all so well, why was it necessary to subsequently include the following paragraph?

"Commanders will permit the Afro/natural haircut providing it conforms with current Marine Corps regulations."

If "haircuts will conform to regulations, no more, no less," why shouldn't that take care of the haircut question?

In all fairness, the Black Power clenched fist salute was not specifically mentioned in the ALMAR, nor by Gen. Chapman personally. The references to it came out in a press conference at which the ALMAR was discussed, the following paragraph in particular:

"No actions, signs, symbols, gestures, and words which are contrary to tradition will be permitted during formations or when rendering military courtesies to colors, the national anthem or individuals. Individual signs between groups or individuals will be accepted for what they are—gestures of recognition and unity; in this connection, it is Marine Corps policy that, while such actions are to be discouraged, they are nevertheless expressions of individual belief and are not, in themselves, prohibited. However, they are grounds for disciplinary action if executed during official ceremonies or in a manner suggesting direct defiance of duly constituted authority."

Gen. Chapman was asked if the foregoing paragraph referred specifically to the Black Power clenched fist salute.

He replied: "Well, that's one of those that this particular subparagraph refers to, yes. There are others, though."

"What others, sir?"

"Oh well, the Marines, individual Marines, often have ways of gesturing to each other. . . . Anything from an informal wave of the hand to something a little more pointed."

In his letter to me, Gen. Walt wrote:

"We are placing new emphasis on leadership, especially small unit leadership, which, I believe, will do much to solve the problems. The Marines of today are no different than those of yesteryear, but the climate outside the Corps, adjacent to our bases and across the country, has caused new pressures to be brought on these young men. They responded to leadership and challenge on the battlefields of Vietnam and they have proved to be dedicated Americans and Marines there. They have turned in a superb performance. I am sure that, with proper leadership on the part of us in responsible positions, we can help them to be good Americans and proud Marines here at home too."

Okay, Gen. Chapman. Okay, Gen. Walt. Having read it all, I'll concede that my original column was somewhat harsh.

Lots of luck in what you're trying to do.

#### EISENHOWER STAMP

Mr. DOLE. Mr. President, this past Tuesday, October 14, I had the honor to participate in an occasion which was both pleasant and appropriate. The date marked what would have been Dwight Eisenhower's 79th birthday; it also was chosen as the first day of issue for a new postage stamp honoring him. The site chosen for issuing this stamp was Ike's hometown, Abilene, Kans.

As befitted the man and the occasion, it was a warm and genial meeting of those who had known and loved Ike as a personal friend and neighbor, as a soldier, and as a statesman. The ceremonies were arranged and supervised by the Chairman of the Dwight D. Eisenhower Commemorative Stamp Committee, longtime associate of the general



and former U.S. Senator from Kansas, Harry Darby.

The list of dignitaries who were present is much too long to recount here. But a few deserve special mention.

Serving as President Nixon's representative to the ceremonies was Brig. Gen. Robert L. Schultz, who placed a wreath, on behalf of the President, during a special memorial service, in the place of meditation at the Eisenhower Center.

The featured speaker of the day was Ike's former comrade-in-arms and retired Supreme Commander of the North Atlantic Treaty Organization, General Lauris Norstad.

Postmaster General Winton Blount was also present to relay a special message from President Nixon and to share some thoughts concerning President Eisenhower's legacy to our country.

No mention of those present would be complete without noting the attendance of the man who represented Kansas in this body throughout President Eisenhower's two terms in office: of course I am referring to my predecessor, the Honorable Frank Carlson.

Mr. President, I ask unanimous consent that the program for the day's ceremonies and the text of Postmaster General Blount's remarks be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### PROGRAM

##### PLACE OF MEDITATION

##### *Memorial services and wreath laying ceremony*

Invocation and Reading of President Eisenhower's Inaugural Prayer: Lt. Col. John Blom, Chaplain, 24th Infantry Division.

National Anthem: 24th Infantry (Mech) Division Band, conducted by Warrant Officer Samuel Brown.

The President's Wreath: Brig. Gen. Robert L. Schulz, Special Assistant to the President. Carillon: Specialist David E. Ralph, Member of The Fifth U.S. Army Band. Taps.

#### DWIGHT D. EISENHOWER LIBRARY

##### *First day of issue ceremonies*

Invocation: Lt. Col. John Blom.

Presiding: The Honorable Harry Darby, Chairman, Dwight D. Eisenhower Commemorative Stamp Committee.

Welcoming Address: The Honorable Robert Docking, Governor of Kansas.

Introduction of Guests: The Honorable Harry Darby.

Speaker: "Experiences With General Eisenhower," General Lauris Norstad, Chairman and Chief Executive Officer, Owens-Corning Fiberglas Corporation.

Address and Presentation of Albums: The Honorable Winton M. Blount, Postmaster General of the United States.

Benediction: Lt. Col. John Blom.

#### ADDRESS BY THE HONORABLE WINTON M. BLOUNT, POSTMASTER GENERAL OF THE UNITED STATES

I have a letter to all of you from the President of the United States which I should like to read at this time:

"My sincere best wishes go to all of you attending the First Day of Issue ceremony dedicating the commemorative stamp honoring President Eisenhower.

"It is particularly significant that on October 14, his birthday, this beloved man should be honored in this way. Few men in

American history or in the world history have so dedicated their lives to peace through understanding and understanding through communications among the peoples of the world. A commemorative stamp, representing as it does the spirit of communication, of exchange of ideas, of freedom of expression, is a particularly fitting honor to be paid to Dwight Eisenhower and his vision of peace and brotherhood.

"This commemorative stamp will serve to remind millions of the man who said: 'Freedom of expression is not merely a right in the circumstances of today, its constructive use is a stern duty.' It is my hope that this stamp will be not only an important part of our postal system, but also a symbol of the man it honors, a man dedicated to free expression and communication as a means to just and lasting peace."

We are gathered here today to honor the birth of an American who helped give shape, purpose, and direction to the 20th century. But I do not wish to eulogize General Dwight David Eisenhower. Others have done that eloquently, and sometimes even adequately.

Rather, I would like to share with you some private thoughts on the Eisenhower legacy—on an America left free to seek its own destiny, under God.

The preservation of our national freedom is a part of the Eisenhower legacy, as surely as the preservation of the Union is a part of the legacy of Abraham Lincoln. In the face of the worst tyranny the world has known a sword has raised. The combined might of the allied nations forged that great sword. But it pleased God to see it placed in the hands of a single man: A soldier who knew the blood and degradation of the killing ground; a man of profound religious conviction who knew war, found it vulgar, and called it "stupidity." We have advanced little as a people if we do not find a moral lesson in the fact that the world's last great military captain was a man of peace.

On last Saturday, I stood at Abraham Lincoln's tomb in Springfield, Illinois, and today I cannot help thinking of Lincoln and Eisenhower and what they have taught us. As our President attempts to end the long and bitter war in Viet Nam, there is a sad similarity between his burdens and those which Lincoln had to bear. Always there have been those who would have us believe, in the name of peace, that it was impossible to break the will of our adversaries, then it was imperative to break the will of our own people. As the war went badly for the Confederacy, it took courage and fought on, and men died, because, as Carl Sandburg has written: "One hope still held that the peace party in the north might so weaken the Lincoln administration that in time it would give up the war as hopeless."

One hundred years later, and half a world away, another war is raging where freedom is the issue. Again, we find ourselves ranged on the side of those who cherish this freedom as we do: against those who would expend any amount of human life for as long as necessary in order to impose their will on their brothers. And we hear an historical echo of Carl Sandburg's words in the words of the North Vietnamese Defense Minister, Vo Nguyen Giap: When he said the United States "does not possess . . . the psychological and political means to fight a long drawn-out war." And so the war goes on, while our adversary stands with both feet planted firmly in the fallacy encouraged and strengthened by those who would undermine our will.

To paraphrase Churchill: We have not journeyed all this way across the centuries, across the oceans, across the mountains, across the prairies, because we lack the "psychological and political means" to support the defense of freedom. But there are some among us who suppose otherwise.

There is a certain spiritual arrogance in those who suppose that they are more sensitive to the bloodshed in Vietnam than are the leaders of this country. The peaks of self-righteousness and moral superiority are as untenable as they are attractive: They are made slippery by the blood of those called to pay the price so that others may indulge their feelings of moral superiority. There are none in this land that more desire peace in Vietnam than the President of this Nation. There are none that can match his unceasing efforts to bring us out of this complex agony and there is no finer advocate for our Nation's desire for peace with honor.

The presumption of those who feel they know better than the President how to attain peace creates difficulties which ultimately diminish our prospects for peace.

In the life of General Eisenhower there is a lesson which many prefer not to see: There is an answer to those who accuse our leaders of immorality—who choose to believe and would have others believe, that this Nation has pursued its course in Vietnam because our leaders prefer war.

No soldier, whether he is a private or the Commander-in-Chief, prefers war. No President sees the fathers and sons and husbands of this Nation sent to their death with anything but the most bitter pain in his heart. And who can truly know that pain, but the man who bears it. General Eisenhower commanded four million men, and said: "Every one of those men is precious to me". As war material? No. As human beings. Who, in all decency, can pretend to desire peace more profoundly than the man who bears the final responsibility for war?

I would hope that all Americans, on this seventy-ninth anniversary of the birth of Dwight David Eisenhower, might turn to the example of this man who, at the head of our armies, led those armies in the greatest march for freedom ever undertaken and who, in the Presidency, led this people and all people of good will in the search for the day when nation would not lift up sword against nation, neither would they learn war anymore.

But for all that, it would be very wrong to raise Dwight Eisenhower so high in our esteem that we lose sight of him as a human being. For he was a man of gaiety and grace who took his duties seriously, but rarely himself. He was gentle as only the very strong can be. And he was forgiving, as only the very wise can be. Above all, he was a *believable* man. People knew they could trust him.

It was for these reasons, and not because of the positions he has held, or the deeds he had done, but because in his humanity he set an example for all men to look up to, that he became in his life a moral force for good, not only in America, but in the world.

Pericles said that "heroes have the whole earth for their tomb." Dwight Eisenhower came from these plains, and he returned to sleep beneath them. Yet, truly, the whole earth is his tomb; the free world his monument.

As his forces were preparing to cross the Rhine, and the preliminary artillery barrages split the night on March 23, 1945, Ike was out, as usual, with his men, comforting them, encouraging them, sharing with them their natural doubts and fears. He came to one young man who was obviously very frightened, put his arm around the boy's shoulder, and said:

"How are you feeling, son?"

The boy answered, "General, I'm awful nervous. I was wounded two months ago and just got back from the hospital yesterday. I don't feel so good."

"Well," Ike told him, "you and I are a good pair then, because I'm nervous too. Maybe if we just walk along together to the river we'll be good for each other."

After all the memoirs are written and all the eulogies spoken, the image of the Su-

preme Allied Commander and that frightened boy walking along to the river will still tell the story of Dwight Eisenhower best. He walked with America, and we are richer because of it.

It is a distinct honor for me now to give to the American people this stamp commemorating Dwight D. Eisenhower.

#### POSTHUMOUS AWARD OF MEDAL OF HONOR TO EDGAR L. MCWETHY, JR.

Mr. PEARSON. Mr. President, my distinguished colleague from Kansas (Mr. DOLE) shared with me today the moving experience of being present at the private ceremony when Mr. and Mrs. Edgar L. McWethy, of Baxter Springs, Kans., were presented a posthumous Medal of Honor, awarded to their son Edgar L. McWethy, Jr., by the President of the United States.

Edgar L. McWethy, Jr., was honored today for his gallantry in action while serving as a medical aid man with Company B, 1st Battalion, 5th Cavalry, 1st Cavalry Division, Airmobile in Binh Dinh Province, Republic of Vietnam, on June 21, 1967. The citation accompanying this award follows these remarks.

Raised and educated in Leadville, Colo., Edgar was active in the Boy Scouts and served as a junior assistant scoutmaster of an Explorer troop there. He was a member of the Baptist Church and employed by the Post Office. As a young man he was, according to his mother, not especially interested in medical work, but while in the Army, he became very much interested in it and this interest made him effective as a medical aid man.

His parents, together with his brother Kenneth and sister Christie, now live in Baxter Springs. It was a privilege for Senator DOLE and me to be present with them at the White House ceremony this morning. We commend the bravery of their son and express condolence upon his death.

For his extraordinary bravery in action, despite wounds that eventually proved fatal, Edgar L. McWethy, Jr., was awarded posthumously both the Purple Heart and the Air Medal in ceremonies at Fort Riley, Kans., in September 1967. Mr. President, it is most appropriate that I ask unanimous consent that the citation accompanying his posthumous Medal of Honor be printed in the RECORD.

There being no objection the citation was ordered to be printed in the RECORD, as follows:

#### CITATION

The President of the United States of America, authorized by act of Congress, March 3, 1863, has awarded in the name of The Congress the Medal of Honor posthumously to Specialist Five Edgar L. McWethy, Jr., United States Army, for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty:

Serving as a medical aidman with Company B, 1st Battalion, 5th Cavalry, 1st Cavalry Division (Airmobile), in Binh Dinh Province, Republic of Vietnam, on 21 June 1967, Specialist McWethy accompanied his platoon to the site of a downed helicopter. Shortly after the platoon established a defensive perimeter around the aircraft, a large enemy force attacked the position from three sides with a heavy volume of automatic weapons fire and grenades. The platoon leader and his radio operator were wounded

almost immediately, and Specialist McWethy rushed across the fire swept area to their assistance. Although he could not help the mortally wounded radio operator, Specialist McWethy's timely first aid enabled the platoon leader to retain command during this critical period. Hearing a call for aid, Specialist McWethy started across the open toward the injured men, but was wounded in the head and knocked to the ground. He regained his feet and continued on but was hit again, this time in the leg. Struggling onward despite his wounds, he gained the side of his comrades and treated their injuries. Observing another fallen rifleman lying in an exposed position raked by enemy fire, Specialist McWethy moved toward him without hesitation. Although the enemy fire wounded him a third time, Specialist McWethy reached his fallen companion. Though weakened and in extreme pain, Specialist McWethy gave the wounded man artificial respiration, but suffered a fourth and fatal wound. Through his indomitable courage, complete disregard for his own safety, and demonstrated concern for his fellow soldiers, Specialist McWethy inspired the members of his platoon and contributed in great measure to their successful defense of the position and the ultimate rout of the enemy force. Specialist McWethy's profound sense of duty, bravery, and his willingness to accept extraordinary risks in order to help the men of his unit are characteristic of the highest traditions of the military service and reflect great credit upon himself and the United States Army.

#### TAX REFORM ACT OF 1969—ACTION OF COMMITTEE ON FINANCE

Mr. LONG. Mr. President, yesterday, October 15, the Committee on Finance met in executive session and announced decisions on a series of provisions contained in the House tax-reform bill. The subjects covered include the taxation of multiple trusts and accumulation trusts; multiple corporations; treble damages; foreign tax credit; and stock dividends.

So that Senators might follow the progress of these executive sessions, I ask unanimous consent that a press release be printed in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

[A press release from the Committee on Finance, U.S. Senate, Oct. 15, 1969]

#### TAX REFORM ACT OF 1969—ACTIONS IN EXECUTIVE SESSION

The Honorable Russell B. Long, (D., La.) Chairman of the Senate Committee on Finance announced today that the Committee was continuing to make good progress in its effort to complete action on the Tax Reform Act of 1969 by October 31. He reported that in executive session the Committee had reached decisions on a number of important tax reform provisions contained in the House bill, and had corrected defects in several of them. The complete action of the Committee is described in the following paragraphs:

**Multiple Trusts; Accumulation Trusts.**—The Committee generally approved the provisions of the House bill which tax the beneficiary of accumulation trusts (including multiple trusts) in substantially the same manner as if the income had been distributed to the beneficiary when it was earned by the trust. However, it approved a series of amendments to correct certain defects in the House language.

(a) The definition of "distributable net income" was modified to include capital gains and dividends allocated by the trustee

to the corpus of the trust, thereby preventing the use of trusts to accumulate these items at low rates to be distributed later to high-bracket taxpayers.

(b) The Committee agreed to apply an interest charge to the tax payments deferred by the use of accumulation trusts. This charge would be 6 percent of the tax involved for the period for which it is deferred, and would be assessed against the beneficiary who receives the accumulated income of the trust.

(c) The Committee decided to make the new rules for accumulation trusts applicable with respect to income accumulated in taxable years beginning with December 31, 1968 (rather than in taxable years beginning after April 22, 1969). Income accumulated in prior years will continue to be subject to the law in effect at the time the income was accumulated, except that the \$2,000 de minimis exemption will not apply.

(d) The Committee modified the so-called "short-cut" method for computing tax upon the distribution of accumulated income in a number of relatively minor respects, the most important of which was a Treasury Department recommendation to prevent the creation of multiple trusts with staggered accumulation distributions in order to take advantage of the short-cut rule. This is accomplished by making the "short-cut" method inapplicable if during any of the preceding taxable years in which an accumulation distribution is deemed to have been made, prior accumulation distributions were also deemed to have been made by two or more other trusts to the same taxpayer.

**Multiple Corporations.**—The Committee approved provisions in the House bill tightening the rules under which large groups of commonly controlled corporations have been able to obtain substantial benefits intended primarily for small business. The principal benefits are the \$25,000 corporate surtax exemption, the \$100,000 exemption from the accumulated earnings tax and the special additional first-year depreciation allowance. In approving the objective of the House bill, the Committee made the following modifications to the language:

(a) **Five-Year Phase-out.**—The Committee rejected the eight-year phase-out of these special tax advantages contained in the House bill and substituted a five-year transition period instead. However, the Committee delayed the effective date of the phase-out so that it would not commence until 1970. (The House bill would have become operative in 1969.)

(b) The Committee also approved a Treasury-suggested modification to prevent any part of a preconsolidation loss incurred by one member of a controlled group from being used to offset income of other members of the group until after the 5-year transition period referred to in paragraph (a). The House bill would have "phased-in" the allowance for these losses as it "phased-out" the other advantages. It also deleted references to controlled groups of mutual insurance companies in accordance with advice received from the Treasury that no such groups were in existence.

(c) The Committee also modified the bill to permit corporations which used surtax exemptions in the past to elect to shift immediately to a consolidated returns basis of tax reporting and to use loss carryovers within the group without reduction, if the group agreed to give up the multiple surtax exemptions it had claimed for the year the loss was sustained.

**Treble Damages; S. 2631.**—On the Chairman's motion, the Committee approved the text of S. 2631 as an amendment to the tax reform bill. This bill would disallow a tax deduction for two-thirds of amounts paid as treble damages growing out of criminal violations of the antitrust laws. The disallowance would apply in the case of a conviction



after December 31, 1969 in a criminal proceeding or in the case of a guilty plea or plea of nolo contendere entered after that date. The amendment also makes it clear that no deduction is allowable because of the payment to another person of bribes and other illegal kickbacks.

**Foreign Tax Credits.**—The Committee deleted those provisions of the House bill (Sections 431 and 432) which would have reduced the foreign tax credits available to taxpayers with income from foreign sources.

However, the Committee did agree to add an amendment to the bill making it clear that for Federal tax purposes, the continental shelf of the United States is to be treated as part of the United States.

**Stock Dividends.**—The Committee approved the portion of the House bill which taxes the recipients of stock dividends in those instances where one group of shareholders receives a distribution in cash and there is an increase in the proportionate interest of the group receiving the stock dividend. Before approving it, however, the Committee adopted an amendment to prevent avoidance of the House provision where a company had two classes of stock outstanding before the effective date of the provision but had not used them in a way which would give rise to a tax under the new rules. It amended the effective date provision in another respect also. Under this latter amendment a corporation which had two classes of stock outstanding on the effective date of the provision would be permitted to issue additional shares of stock of whichever class is the larger.

#### VIETNAM AND THE PROTESTS

Mr. FANNIN. Mr. President, my colleague from Arizona (Mr. GOLDWATER) made an excellent address yesterday to the California Federation of Republican Women. His remarks are most pertinent to some of the ideas and resolutions that have been presented in the Chamber in recent days.

I might suggest that for an outstanding presentation of our reasons for being in Vietnam and our reasons for backing the President in his policy to achieve a victory in that hapless land, Senators and their aides should read this speech.

I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

#### VIETNAM AND THE PROTESTS

(By Senator BARRY GOLDWATER, of Arizona)

Madame Chairman, Senator Murphy and honored guests: It is a special honor for me to be here today to address this important meeting of the California Federation of Republican Women, and I say that for a number of important reasons. Let's take them in order.

First, California is where the Goldwater family got started in our country, and I have long regarded your state as a second home. I want you to know that two of our four children make their residence in California, and as you may know, one is in Congress.

Another important reason is that I like Republicans. The final reason, of course, is that I love women.

As most of you know, I arrived earlier today from Washington, D.C., which is in its usual state of ferment.

You know, Washington is a place where any Presidential appointee who owns stock is automatically suspect. It is also the place where if he sells that stock for a profit the transaction is regarded as at least prime facie evidence of skulduggery. In fact, in Washington a Presidential appointee can't even

sell stock at a loss without incurring some blame. You see, to those anti-Nixon liberals in the Senate, no prospective bureaucrat, high or low, is supposed to have any money. If he does, the last place they want him to put it is behind a belief in the American free enterprise system.

Right now the Congress is wrestling with the whole idea of tax reform. And after we reform the tax, we plan to reform the taxpayers.

Washington also is the place where we hear a lot about Vietnam. President Nixon's critics want to end the war in Vietnam—just so we can do it without winning. Washington is the place where they want an adequate national defense—just so it won't cost any money.

Washington is the place where a new breed of isolationists is springing up—a breed so determined that it would like to see a Maginot line built around this country to prevent U.S. arms from slipping out to foreigners who might fight Communism.

Washington is that wonderland where men who spent 30 years committing this nation to an extreme policy of internationalism, who ran up a foreign aid bill of \$122 billion, and who loaded down the American taxpayer with every conceivable kind of boondoggle that might garner a few liberal votes are now talking about economy and cutting government expenditures.

These new apostles of thrift, however, give themselves away. They aren't worried about fiscal responsibility. They could care less about inflation, balanced Federal budgets, payments on the national debt and similar facets of a sound economy.

No, these "savers" have a couple pet areas in mind. Naturally, they are areas that conform with the liberal philosophy and the liberal affinity for causes that range from the left of center to the Marxist-Lenin area represented by the so-called New Left.

In other words, the new savers want the savings to be cut out of this nation's defenses or its ability to retaliate to a possible first strike attack from Communist nations. They also want to cut those savings out of the space program and other areas where U.S. supremacy over the Soviet Union and Communist China are especially impressive and needed.

And while we are at it, Washington is the place where very soon we will have to get back down to brass tacks on the whole subject of Vietnam.

But I certainly don't mean doing it the way the so-called Moratorium protestors of the SDS, and other professional pacifists groups on the Far Left are doing it with their demonstrations today.

No amount of shouting, or banner-waving or street-clogging or mass assemblies is going to help the cause of peace in Paris or in Hanoi. This kind of activity would only have a minimal effect, even if the demonstrators—through some unforeseen miracle of belated patriotism—should protest on behalf of the United States position in Asia. As it is, the Communist press will take full note of the Moratorium demonstrations, add their own special brand of exaggeration and misinterpretation and present the leaders of our enemies with more phony evidence that the people of the United States are opposed to the war in Vietnam and that its government is rapidly approaching capitulation.

Understand me well, I want peace in Vietnam as much as anyone who calls himself a member of the October 15th Moratorium Committee, as much as any Democratic member of the Senate Foreign Relations Committee, as much as any recently-appointed member of the Senate from New York and as much as, if not more than, any of the professional slogan-mouthing, leftist-oriented pacifist groups in this country.

But I want an honorable peace. The American people, all of them, want an end to

the killing just as much as some of the people who seem to arrogate to themselves the idea that only they have any regard for humane qualities. When any member of Congress makes a public demand for American withdrawals from Southeast Asia, he is not out ahead of concerned Republicans like myself in his desire for peace. He is not out ahead of the American people. He is not out ahead of Richard M. Nixon. In fact, he isn't quite even with the President and his advisors when it comes to time spent in attempts to end this unfortunate and unhappy conflict we inherited from the Democrats.

And about the demonstrations being held today, let me say this: I don't care what kind of a fancy package you wrap them in. I don't care whether you call the agitations an expression of the American will to end the bloodshed. I don't care whether you call them proper exercises in the right of protest or the right of assembly or the right of free speech.

Regardless of what kind of a package you put them in, what kind of ribbon of reasonableness you try to tie around them, what kind of fancy labels marked "peace" you paste on them, the fact remains that these demonstrations are playing into the hands of the people whose business it is to kill American fighting men.

I am not objecting to the legality of these Moratorium demonstrations.

I am not questioning the deep, warm-hearted sincerity of some of the people who take part in them.

But I am questioning, and I do denounce, the effect they will have on President Nixon's efforts to convince Hanoi that further war is useless. I do question also the effect these shows of dissatisfaction with official policy will have on the morale of our men slugging their way through the miserable slime of Vietnam's rice paddies, hills and jungles.

Put yourself in the position of a young man who is fighting this war for a country he has grown up to respect. If you take the average, he could be a young man whose parents or grandparents fled from tyranny in Europe to find opportunity and success and prosperity in the American way of life. How do you suppose he feels as he carries out his distasteful but necessary task as a part of the military organization in South Vietnam when he hears that thousands of his fellow citizens are making a spectacle of themselves in the United States to show their opposition for what he is trying to accomplish?

The newspapers tell us very clearly that our fighting men in Vietnam believe in what they are doing. Oh, yes, there are some exceptions, and these exceptions have a remarkable way of finding themselves in front of TV cameras and radio microphones. But the great majority of our men believe in their country, believe in its leaders, believe in its cause and will fight for them.

And on this particular day I should like our fighting men in Vietnam to understand that they have every single reason to be proud of what they are doing and to understand that the vast majority of 200 million people support them and are proud of them and wish them the very, very best of good fortune. I feel that it would be nothing less than tragic if we were to permit the wave of demonstrations which have been so carefully manufactured on the far left to fool any of our fighting men in Asia. They are making great sacrifices for their country, just as the men of earlier generations made sacrifices in Korea, World War II and World War I, and it would be shameful and tragic if they were to be given any solid reasons to think for one minute that their sacrifices were not deeply appreciated by their fellow Americans.

I have no objections to demonstrations, but I do object if they have the effect of prolonging the war and of causing our fight-

ing men even one moment of unhappiness. I believe a great many sincere Americans, if they were to truly look at these things and see what the effect of these demonstrations could be, that they would think twice about lending their support to any and all rag-tag appeals merely because they are skillfully promoted in the name of peace.

I find it a little frightening to see how many people, clergymen included, who seem to think they are doing a righteous and noble and daring thing when they join in protests against the announced policies of the United States Government.

At the very least, it is a sad commentary on the American attitude.

Where Vietnam is concerned, I am convinced that the nation's news media has a lot to answer for. I know they pass it off as a product of news judgment, but the fact remains that one of the easiest ways to get plenty of attention in the newspapers, on radio and television is to oppose the President of the United States.

Some public officials, knowing how eagerly some of the media accepts this kind of attack, are actually making it a full time occupation.

In Washington at least one newspaper has a name for it. Strangely enough, the name comes from the *Washington Post* which calls the process "the breaking of a President."

The whole idea is that certain liberal critics learned how to "break" Lyndon B. Johnson and force his retirement using the Vietnam issue as a club. These same forces, convinced that President Nixon is following much the same course, believe the process can be repeated.

It is interesting that they pay no attention to—or at least avoid mentioning in public—the fact that President Nixon is reducing the American commitment in Vietnam where LBJ was increasing it. They never mention that Nixon is withdrawing troops in Vietnam where LBJ was sending more over. And, of course, no mention is made of the fact that under Nixon, American casualty figures have sunk to their lowest level while under LBJ they established new peaks almost every month.

I guess you have gathered by this time that I am thoroughly in accord with official policies in Vietnam at the present time. If I had any changes to suggest they would be designed to shorten the war by convincing the Communists that they are defeated. In effect, my suggestions would be designed to offset the kind of nonsense that we are seeing demonstrated today by people who want a war ended but have nothing to suggest in the way of procedure except mass withdrawal and complete surrender.

I think the time is here for our government to notify Hanoi that if its representatives in Paris continue to block any and all attempts to reach a negotiated settlement, our only resource will be to bomb the north, to concentrate on destruction of the Port of Haiphong, to destroy the railroad along the Red River Valley from China and to take every other measure necessary to convince Hanoi that it has had its chance and that we have "just begun to fight."

Now let me address a few words to you as Republicans. I just want to say that I do not agree 1000% with everything that President Nixon does as head of the Federal Government merely because he is a personal friend and was my personal choice for the office he holds. But I believe the President of the United States, as Commander-in-Chief of the nation's Armed Forces and as the man designated by the Constitution to carry out the strategic policy of this country, deserves a lot better from his fellow Republicans.

I am not suggesting, nor would I suggest, any slavish adherence to each and every policy that comes from 1600 Pennsylvania Avenue merely because its present resident is a card-carrying member of the GOP in good standing.

But I do believe that we must close ranks and give him the support he needs on big, fundamental, strategic decisions that affect not only the future of the United States and the Republican Party but the future of the entire free world. His policy in Vietnam is just such a fundamental matter. And I have no time for important Republicans who oppose the President in Vietnam—especially those who appear to be doing it for the sake of political advantage.

#### RESTORATION OF FEDERAL FUNDS FOR GEORGIA SCHOOL LUNCH PROGRAMS

Mr. TALMADGE. Mr. President, 3 weeks ago I wrote to the Secretary of Health, Education, and Welfare regarding a matter that I deem to be of utmost importance to many thousands of schoolchildren, not only in my own State but also in many other States.

I wrote Secretary Finch to urge that he take affirmative action to restore Federal funds to Georgia school systems that have been cut off under title VI of the Civil Rights Act—and particularly to enable these school systems to reinstate school lunch programs for needy children. This was the second time in recent months that I have made this request.

In response to my letter of August 13, Leon Pannetta, writing for the Secretary, said neither yea nor nay. He did indicate that the matter was under consideration.

My request is sound. The school desegregation issue in Georgia is now before the Federal judiciary. A U.S. Fifth Circuit Court of Appeals decision strongly indicates that all title VI enforcement proceedings to date have been faulty.

To my mind, one of the most important factors is the health and welfare of needy children who are being deprived of school lunches because of these cut-offs. I submit that this is neither humane nor lawful. Congressional intent was very clear. School lunch programs were not to be jeopardized by title VI cutoffs.

I have not yet had an answer from Secretary Finch to my letter of September 24. Perhaps Mr. Pannetta will write again when he has time. I would hope, however, that I may hear from Secretary Finch on a matter of such importance.

In the meantime, some ten thousand deprived children—black and white—are having to go without school lunches, which in most instances are the only nutritious meal they receive a day. In the Senate last Tuesday, the distinguished Senior Senator from New York (Mr. JAVITS) spoke in behalf of S. 2982, The Child Nutrition Act of 1969, that he recently introduced. He urged greater public support of education and particularly of school lunch programs.

I am in complete accord with the Senator's observations that "school lunch programs must be considered a crucial part of our educational process."

I have also introduced a comprehensive bill to expand and improve the national school lunch program, which has widespread support among the Members of the Senate, including the Senator from New York.

I would also agree with him that school lunch programs should not be made a

scapegoat of the so-called tax revolt. The nutrition and welfare of children trying to learn are too important. This is too important an area to be hamstrung by fiscal restraint.

This is the point of my communications with the Secretary of Health, Education, and Welfare. I do not think school lunch programs should be made scapegoats of the school desegregation controversy—especially when it goes against the clear intent of Congress, and especially when it deprives schoolchildren of nourishment they so desperately need.

I hope that Secretary Finch will see fit to correct this situation at the earliest possible time.

#### NATIONAL EXECUTIVES' CONFERENCE ON WATER POLLUTION ABATEMENT

Mr. BOGGS. A conference of importance to American industry, and to the Nation's citizens generally, will take place in Washington October 23 and 24, 1969. This is the National Executives' Conference on Water Pollution Abatement, sponsored by the Department of the Interior.

Secretary Walter J. Hickel organized the conference and will play a key role in it. He will address the conferees at the opening session and will be the featured speaker at a banquet the evening of October 23.

The conference will be held at the Washington Hilton, and will include both morning and afternoon sessions during the two days that it is held.

Under Secretary Russell E. Train is chairman of the conference program committee. The conference director will be Karl L. Klein, Assistant Secretary of the Interior for Water Quality and Research. Klein will serve as moderator of the discussions during the two morning sessions, David D. Dominick, Commissioner of the Federal Water Pollution Control Administration, will be the moderator for the two afternoon sessions.

The significance of the conference is that it launches a new era in public-private cooperation that must grow if the increasingly-serious problem of water pollution is to be brought under control.

Discussion will center around the experiences of industrial firms, here and abroad, in working with the problems of water pollution abatement. Thus, it will provide an instructive symposium for an examination of the whole area of water pollution control, and will offer plans and methods by which the problem may be dealt with in manageable cost ranges.

Water pollution is an international problem that is becoming increasingly critical for all industrialized countries with urban population densities. In recognition of the international aspect of the problem, the conference planners chose to include as chief speakers the top executives of six foreign industrial organizations and six major U.S. firms.

The conference schedule has been arranged in such a way that questions from participants will be welcomed, thus encouraging a full-range discussion of the points presented. The speakers are:



Mr. Wilfrid Baumgartner, president, Rhone Poulenc, France.

Dr. L. A. DuBridge, Science Advisor to the President.

Mr. Harrison F. Dunning, chairman of the board, Scott Paper Co.

Mr. Rein Hennriksen, director general, A/S Borregaard, Norway.

Dr. Neil Iliff, president, Chemical Industries Association, Ltd., United Kingdom.

Mr. Charles F. Luce, chairman of the board, Consolidated Edison Co., of New York, Inc.

Mr. Brooks McCormick, president, International Harvester Co.

Mr. Charles B. McCoy, president, E. I. du Pont de Nemours & Co.

Rt. Hon. Kenneth Robinson, M.P., Minister for Housing and Planning, United Kingdom.

Mr. Robert M. Schmon, president, the Ontario Paper Co., Ltd., Canada.

Mr. Edgar B. Speer, president, United States Steel Corp.

Mr. John E. Swearingen, chairman of the board, Standard Oil Co. of Indiana.

Mr. Russell E. Train, Under Secretary of the Interior.

Dr. Giorgio Valerio, president, Montecatini Edison, S.p.A., Italy.

Casimir Prince Wittgenstein, senior executive vice president, Metallgesellschaft A. G., West Germany.

"Water Pollution Is Your Business" will be the theme of the conference. Consideration will be given to the following topics:

Industrial recognition of pollution abatement responsibilities.

Management decisions, cost factors by dollars and percentages, sales factors, public relations factors, stockholders relations, and long-range engineering plans.

The development of attainable and tight timetables for industrial pollution abatement, and Government-industrial relations in achieving industrial pollution abatement schedules.

The realization in America of the imperative need for water pollution abatement is not so great as it inevitably must be if the growing demand for clean water, both by industry and the public, is to be supplied in the future. An awareness of the problem will increase in time. But our country must not wait until the overwhelming disaster of pollution-choked rivers, ruined lakes, and dead estuaries strikes vitally at our lives. Plans must go into action now to do something about the problem, to do much more than we are doing.

This is the basic meaning behind the coming conference. It is an important step that must be taken if success is to be achieved. The longer the job is put off, the more it is going to cost in money, in public health, in recreation, and in practically all aspects of community living. Our future environment and our national growth are at stake.

Organizers expect the National Executives' Conference on Water Pollution Abatement to mark a turning point in the struggle against water pollution. To assure that the conference achieves a level of recognition commensurate with its importance, arrangements are being handled by Robert L. L. McCormick,

Deputy Assistant Secretary for Water Quality and Research, Department of the Interior, Washington, D.C.

## RESOLUTIONS AND PETITIONS ON VIETNAM

Mr. MUSKIE. Mr. President, I participated in yesterday's moratorium observances by returning to my alma mater, Bates College in Lewiston, Maine, to meet and talk with students, faculty members, and citizens of my State. I found there, as other Members of the Senate have found in their States, a growing concern over our involvement in Vietnam and a deepening conviction that we should disengage ourselves from that war.

At the conclusion of my speech I was presented with a resolution adopted by Bates students and petitions signed by other students and by Maine residents. I ask unanimous consent that the Bates program, including these resolutions and signed petitions, the expression of a free people communicating their views to their elected leaders, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

### BATES COLLEGE—WORK FOR PEACE, OCTOBER 15

(Coordinated by the advisory board)

No community which calls its goal education can ignore the pressing national issues of the day. The war in Vietnam has had an overriding effect on this nation for more than five years and demands our immediate concern. Bates College will respond to the national call to set aside a day to focus attention on this issue.

We respond as an academic community and our response is what we judge appropriate. The initiation of the October 15 Moratorium at Bates occurred on September 28 when representatives of the faculty, students, and administration called for action. The details have been worked out at student government meetings. The responsibility for the success of October 15 as an educational experience rests with each individual student and faculty member who must make his own commitment, regardless of political views, to participate.

### SCHEDULE OF EVENTS

#### Tuesday, October 14th

8:00 P.M., Movie "A Face of War" (free), Filene Room.

#### Wednesday, October 15th

9:00 A.M. Movie "The Face of War" (free), Little Theatre.

8:00-1:00 P.M., Literature on Vietnam available, Co-ed Lounge.

11:00-1:00 P.M., Lewiston-Auburn community march and rally.

1:30-4:30 P.M., Teach-In, Chapel.

4:30-5:30 P.M., Resolutions presentation and vote, Alumni Gymnasium.

5:30-7:00 P.M., Dinner.

8:00 P.M., Address by Senator Edmund Muskie, Alumni Gymnasium—Students, Faculty, and Staff must enter with ID cards through Men's Locker Room Side Entrance in order to be assured preferential seating.

### SUMMARY OF EVENTS

#### Tuesday, October 14th 8:00 P.M. Filene Room

Movie, "A Face of War." "In an atmosphere of doubt and uncertainty, this film draws away the curtain and projects a sensitive image of the war in Vietnam. It pulls no punches, claims no sides."

#### Wednesday, October 15th 9:00 A.M. Little Theatre

Movie, "The Face of War." A documentary portraying the horrors of modern warfare, concentrating on its weapons and its victims.

#### Wednesday, October 15th 8:00 A.M. to 1:00 P.M. Co-ed Lounge

Literature on the movement to end the war in Vietnam will be available at a Students for Peace table. Those wishing to make appointments for draft counseling may do so at this time.

#### Wednesday, October 15th 11:00 A.M. to 1:00 P.M.

A Lewiston-Auburn community march to protest the war will begin at Lewiston High School and end in a rally at the public park. Concerned Bates faculty and students will be attending.

#### Wednesday, October 15th 1:30 P.M. to 4:30 P.M., Chapel Teach-In

Vietnam has certainly been one of the more complex happenings to occur in our nation's history. We have heard the spectrum of impassioned pleas for action from far left to far right. We have listened to their analyses of the situation, the causes, the effects, and the solutions. The results have been less than satisfactory, yielding only anger and confusion.

The purpose of October 15th and specifically the teach-in as we at Bates are concerned is to provide a time for rational discussion on Vietnam; its history, the war, and its effect on the United States. Because we have assumed this perspective, no particular political posture is being emphasized. The teach-in will provide information both from a personal experience and academic point of view. It is hoped that this educational experience will provide the stimulus necessary in order for the Bates Community to arrive at a resolution concerning the future role of the United States in Vietnam.

The teach-in is a unique opportunity to draw upon the resources of Bates College in examining the issue of Vietnam. For the experience of October 15th to be of significance, your support and participation are of primary importance.

### ORDER OF SPEAKERS FOR THE TEACH-IN

1. Mr. Cole, "The Historical Background of the Involvement of the United States in the Vietnamese War."

2. Prof. Thumm, "The Foreign Policy of the United States and Involvement in the Vietnamese War."

3. Edward Barrows.

4. Atty. Louis Scolnik, "International Law and the Involvement of the United States in the Vietnamese War."

5. David Minster.

6. Mr. P'An, "Communist China as a Factor in Determining Policies of the United States Concerning Vietnam."

7. Richard James.

8. Assoc. Prof. Gyl, "South-East Asia and the Involvement of the United States in the Vietnamese War."

9. Francisco Mendizabal-Prem.

10. Fr. Roger Chabot, "The Catholic Church and War."

11. Thomas Doyle.

12. Prof. Chances, "The Economy of the United States and Involvement in the Vietnamese War."

13. Prof. Fetter, "Vietnamese Society and the Involvement of the United States in the Vietnamese War."

#### Wednesday, October 15th 4:30 P.M. to 5:30 P.M. Alumni Gymnasium, Resolutions Assembly

The purpose of our teach-in is to rationally re-examine American involvement in Vietnam and attempt to reach an agreement, in the form of a resolution on the direction we feel American policy should take. A stu-

dent-faculty committee was appointed by student government to draft resolutions to be presented for a vote on October 15th. This committee wrote several resolutions and presented them for revision at an open assembly of students on October 10th. The revised resolutions are printed below.

At 4:30 p.m. on October 15th the resolutions below will be voted on in an open assembly of students, faculty, and administration in the Alumni Gymnasium. It is vitally important to the success of the moratorium that all students, faculty, and administration be present at this assembly to vote on these resolutions.

#### RESOLUTION I

(380 present—45 in favor)

Be it resolved, that we declare our endorsement and support of the present United States policy in Vietnam.

#### RESOLUTION II

(266 in favor)

Be it resolved, that we declare our disagreement with the present United States policy in Vietnam. Be it therefore further resolved that we urge upon the President, the Congress, and the people of the United States the adoption of a policy of immediate cessation of all offensive military action in Vietnam and a total, unilateral withdrawal of American combat and support forces to be completed no later than the end of 1970.

Because of the difficulties involved in taking a vote of 1200 persons, revisions and resolutions from the floor will not be possible. However, it is our intention to allow as much time for discussion and debate on the resolutions as is available. *The resolution which receives the most votes will be communicated to President Nixon, members of Congress, and the press. It will also be presented at the evening assembly to which Senator Edmund S. Muskie will speak.*

Wednesday, October 15th 8:00 P.M. Alumni Gymnasium, address by Senator Edmund S. Muskie.

OCTOBER 15, 1969.

SENATOR MUSKIE: We, the undersigned from Leavitt High School, are opposed to the continuation of the Viet Nam War. We support the legislation that calls for complete troop withdrawal. We feel that the war continues to have a corrupting influence on every aspect of American life. Therefore, it must be stopped.

Rodney Tulonen, Ruth Geores, John Page, Paul Barter, Naney Pearl, Gerry Beandith, Merle Braley, Phyllis Fortin, Cliff Damon, Methyll Gagne, Nelson Judd, Dennis Langlin, Robert Griffin, John Dunn, and Robert Benson.

Barbara Enos, Connie Pelletier, Jeanette LaPointe, Darlene Henthorn, Cindy Rideont, Rita LaPointe, Brad Varney, Majorie Adams, Sheldon Buhler, Steve Leavitt, Sonia Morris, and Mary Varney.

Gall Plummer, Prudy McGouill, Penny Givens, Ellen Tully, Nancy Meisner, Steve Palmer, Judy Bragdon, Ted Smith, Brad Nickerson, Donna Gustus, Regina Gustus, Doris Libliz, Jo Hanna Goldrup, and Ronna Burgess.

Joy Pinkham, Paul Shaw, Patty Pratt, Lynn Latham, Mark Bonney, Phillip Smith, Richard Boutin, Mary Leavitt, Gary Judd, and John Camire.

Debbi Dudley, Bradley Buzzell, Mike Seamon, Susan Meisner, Dana Hood, Brenda Farnum, Denise Brewer, Shane Marston, Jane Libby, Edward Giroux, Kathie Fogg, Cathy Rowe, and Jann Poland.

Carmen Giroux, Andre Dastie, Veronica Howe, Bob Friendson, Peter Ricker, Cathy Basil, Steve Talbot, Kathy Furbush, Steve Page, Sonia Morris, Pam Nichols, Bill Jones, and Walter Jones.

OCTOBER 15, 1969.

DEAR SENATOR MUSKIE: You have before you the combined efforts of The Lewiston-Auburn Citizens for Peace. In the course of four short days, this organization has gathered over 1,500 signatures asking for an immediate end to the Vietnam War. We, the Lewiston-Auburn Citizens for Peace, urge you to take notice of these names. Thank you.

Sincerely,

THE LEWISTON-AUBURN CITIZENS FOR PEACE.

The most important task facing the United States today is ending the war in Vietnam. This war continues to have a corrupting influence on every aspect of American life. To end the war now the United States must commit itself to complete troop withdrawal.

We, the undersigned, join with the supporting of Vietnam Peace Action Day in the demand for an end to the war now:

Charlotte Shapiro, Auburn, Me.; Nora Beaulieu, Auburn, Me.; Arlene Smith, Hallowell, Me.; Joanne Witas, Mexico, Me.; Laura Witas, Mexico, Me.; Kathy Hemphill, Auburn, Me.; Claire Wherty, Boston, Mass.; James Wither, Stratton, Me.; Frances Moneymaker, Auburn, Me.; and Roger Theriault, Auburn, Me.

Cheryl Morris, Auburn, Me.; Davis Manatte, Livermore Falls; Pauline Gannilla, Chisholm, Me.; Dorothy Voter, Phillips, Me.; Lambert F. Seger, Auburn; Lucille Witham, Stronty, Me.; Aldona Pingree, Farmington; Brenda Allen, Farmington; Kathy Belanger, Auburn; and Ruby Parson, Livermore Falls.

William Mullins, Lew.; Marie Quellette, Lewiston; Richard L. Casper, Lashon Falls; Edward Haby, Auburn, Me.; Mrs. C. Voltes, Lewiston, Me.; Joseph D. Brogan, Lewiston, Me.; Constance Brogan, Lewiston, Me.; Joseph Drummond, Aub.; Ida Drummond, Aub.; Colleen Durgan, Portland, Me.; and Mrs. Carl Durgan, Oxford, Me.

John Brennan, Frank J. Brennan, Louise H. Matthews, Elbert L. Matthews, Sandra Keough, Mrs. Wm. Cohen, Gertrude H. Berent, Rabbi David Berent, Muguelte Quellette, and David A. Nelson.

Selma A. Nelson, Mrs. Murphy, Mrs. J. Csoros, Mrs. George Buffard, Mrs. Viola Berube, Mrs. Eneireida Ryan, Mrs. Conrad Poulin, Mrs. Masal Chasse, Vincenta Bernier, and Jeanette S. Bennar. Frances Brennan, Earl Isaacson, Marilyn Isaacson, Mamie St. Hilaire, John E. Libby, Arthur W. Prevost, Dorothy Kowbotham, Kathleen Leclair, Mr. and Mrs. Larry Day, R. E. Hall, Nancy MacLean, Mrs. E. Dulac, Elizabeth Pond, and Romeo A. Fourier.

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Jim Quellet, Linda Truman, Delores Cote, Digne Kull, Gil Nadeau, Lorraine Blay, Peter Schaffer, Norman Camp, Bill O'Brien, N.Y.C., Michael B. Sawyer, Jana Sweeney, Lori Herchep, Kenneth Kog, Bruce Lakes, Michael Long, Jr., Leonard O'Connors, Lee Michael, Sandy Beatty, and Anne Bunting.

Fred Stocking, Karen Creigous, David C. Cling, John Schroeder, Jean Sampson, Ann Ward, Arther M. Brean, Betty Brown, Lynn Willar, Saron S. Judiard, Judith Haner, Janet Gigner, Ken Chancey, Michael Wilson, Dick Gaudreau, David Smith, Andrea Lutz, Bobby Feyers, Pam Ritz, and Joan Couley.

Jack Isaacs, Harry Monroe, Dana Dinom, Susan Shyalsker, Farge Farrington, Garry Stevens, Linda Rothman, Paul Bible, Brian Collins, Puss Fieldend, Nancy Jestrelly, Diane Knowlton, Bill Matteson, Robert Bauer, Arthur Bourget, Joseph D'Alfonso, Donna S. Dustin, John Paige, Everett Davis, Steve Withee, Bruce Stangle, Julio R. Siando, Gloria Bernier, Eileen Cason, and Nadine Champagne.

Colleen Engemann, Rejlan Pare, Celeste Woods, Susan Brimigion, Daniel Asselin, Barbara Quinby, Richard Leavitt, Maurice Begin, Harold Emerson, Mac Herring, Kain Hermann, Gi-Nadeau, Liz Marcotte, Tom Hall, Tony Crowley, and Maryann DeSomma.

Nan Clani, Beth Russell, Janet Boesart, Steve Thomson, Sharon Earley, Vincent Comue, Debbi Piper, Randy Clennay, Rob Kriger, J. Saddler, Steven Mason, Steven Jeffrey, David Young, Deborah Clendenon, and Philippe Breauchesne.

Barbara Adams, Joyce A. Brown, Linda Ebert, Rolande Pirriault, Toni Schrelber, Janice Parady, Susan Binette, Dave Hardy, Chuck Bevacqua, Rev. Eugene F. Gaffey, Elizabeth Tuland, Peggy Liversidge, Nancy Parody, Lorraine Bials, Theodore W. Bilorfile, Merrise Bruce, and Chris Doyle.

A. Chevalier, R. J. Morris II, S. Judy, Mike Fournier, Paul Laborte, Diane Blanchette, John Lauore, Oleskie O'Marks, Rachel Seguro, Fred Cloutier, Lawrence Edmunds, Marlette Ouellette, Marlene Bisson, and Theresa Ouellette.

W. C. Ramsay, Mrs. Ernest Selverman, Mr. Edward A. Cote, Mr. Leo U. Verreault, Maria P. Lavoie, Sandra Ward, Ann Ward, and Larry Ward.

Mae Callahan, Jeanette Franche, Irma A. Schutt, George Morris, Fran Williamson, Arthur Saucy, Mrs. Jan Robertson, Mrs. Benj. Burrows, Leslie W. Bryant, Garvey I. MacLean, Mr. and Mrs. C. F. Greenleaf, Leona M. Porris, Marie A. Morgan, Franklin V. Morgan, Rosario Saeuz, and Ann Barker.

Ernest L. Edwards, Sr., Douglas I. Feinold, Julio Elarnager, Ramosh, Michael Johnson, W. J. Eaton, Robin Symonds, Linda Rothman, Ken Rich, Judith Andrews.

Scott E. Green, Paul E. Hills, Steve Thomson, Jean Street, Pat Abell, Kenn Sassocossi, John Johnson, Mary Ruckinskos, James Glonfriddo, David Martin.

Douglas Hayman, Kenneth T. Karch, Jr., Donald R. Wiener, Kevin Barry, Wayne Garthwart, Pauler F. Casey, Mike Brickey, Anna A. Llatios, Mark Harris, David Sampson.

Hank Slosick, Walter Toons, Kerry J. Enright, Robert Pierce, III, Gerard Williams, Edward C. Barrows, John Shand, Linda Emma Edwards, Charlotte K. Howe, James Leahy.

Andy Cavel, Debbie Lindquist, Richard W. Suffern, John V. Shea III, Lewis W. Pettibone, William W. Tucker, John W. Pardee.

Bob Janson, Jeff Ray, Hick Ellis, Mary Emma Yard, Scott Alexander, Beverly Dunlop, Pauline Jurmain, Steve Tarn, Sharon Earley, Pam Burghart, Carole Scannell, Sue Martin, Bart Smith, Chris Brown, Joan Madden.

Abby Pierce, Lynne Page, Paula Foreman, Merrill Bunce, Martha O'Shea, Susan Zebrowski, Beverly L. Campbell, Ellen Carros.

Lorraine Blair, Linda Bornstein, Lorraine Bergerson, Billy Lumom, Danny Chamberland, Mike Ubbe, Tany Bolduc, Charlie Bear, Ronald Guller, Phillip Calem.

David B. Lentz, John Amok, E. Kenneth F. Connor, Rev. Roger Chabet, Robert E. Devine, Rebecca G. Wells, John Wing, R. Demme, Julio Elarriaga, Susan Tetro.

Ann Nagel, Thomas Stone, R. Osberryer, Mark Libbey, Clifford A. Spencer II, Donna McKee, Gary Mickalowski, Leanna Weber, Jo-Ann Wilson, Cara Thurston.

Marilyn Ottone, Linda Yurelonis, Mary Lee Auger, Roger Dyer, Thelma King, Bob Pelletier, Maurice Chicome, Dick Raymond, Steve Bernden, Susan Child, Jay Sherman, Ann Helyar, Gi Nadeau, Liz Narcotte, Deborah Isaacson, Peter Murray, Mauria Lapointe, Ronald O. Bel, Edal Glaser.

Tony Crowley, Brian Gallagher, John Lappen, Lyma Page, Pete R. Acene, Melva C. Geores, Mary Oram, Cathy Citeman, Gary Fontaine, Karen Ward, Douglas Fernald, Jerry Boucher.

Shetty Denon, Lewiston; Doley Arabes, Lewiston; Frances E. Porter, Buckfield; Ann Rich, Lewiston; Jack Penn, Lewiston; Margaret Kendall, Lewiston; Fred Wolff, Lewiston; Copper Hood, Lewiston.

Linda Fisher, Lewiston; William Spencer, Bates; Hugh Frederick, Bates; Dave Woods, Lewiston; Mary Lewiston. Gordon Woodley, Bellevue, Washington; Mary McMahon, Burlington, Vt.; Martha George; Kathy Soucy; Tom Hall; Jack Dostie, Lewiston; A. Peter Legendre; Thomas L. Lalone, Lewiston; David J. Bourne, Bates; Susan Ciampa, Bates, Joanne Stato, Ridgewood, N.J. Linda Fisher, Brenda Fisher, Bill Spencer, Neill Miner, Lewiston; Joanne Constantino, Mike Soucie, Jerry Tempesta.

### ROADSIDE EROSION

Mr. NELSON. Mr. President, on August 1, 1969, I introduced a bill that would protect against erosion of streambanks and roadbanks. At that time I pointed out that 60 percent of America's highway system is not covered by any erosion control program, and that this needless erosion destroys valuable land, defaces the landscape, causes excessive highway maintenance costs and pollutes many of our rivers and streams. I added then that studies have shown that silt losses due to roadbank erosion run as high as 356 tons per acre per year in parts of Wisconsin. An estimated 15 percent of the silt polluting Wisconsin water comes from this source.

In connection with this problem, I invite attention to an article published in the September 1969 issues of Soil Conservation which reveals the results of a survey of roadside erosion. In addition, I ask unanimous consent to have printed in the RECORD another article, which again indicates the need for this legislation. The article reports that construction of two major roads in Fairfax County, Va., caused erosion at a rate 200 times faster than normal.

Mr. President, I ask unanimous consent that the two articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Soil Conservation, Sept. 1968]

### ROADSIDE EROSION SURVEY

(By William M. Briggs, conservation agronomist, SCS, Madison, Wis.)

The eroding sections of Wisconsin roads, if joined end to end, would extend from the capital city of Madison to New York City, then back across the continent to Los Angeles.

This isn't to say that Wisconsin has more roadside erosion than any other state but that conservationists here have made a systematic survey of the situation and can name places and cite figures.

The inventory shows something more than 21,000 sediment-producing sites on the state's 87,000 miles of roads—a total of 3,711 miles of bare banks in an average of four locations in each mile. Figuring an average width of 16 feet, their combined area amounts to nearly 7,300 acres.

This is public land—your land and mine! Much of it drains directly into lakes and streams. For many years, students of sedimentation have recognized roadside erosion

as one of the principal sources of the material progressively filling and fouling our surface waters. The survey gives a clear picture of the problem in this state. The inventory is believed to be the first of its magnitude in the Nation.

The Wisconsin Chapter of the Soil Conservation Society of America initiated this project in 1967. A subcommittee of the Natural Resources Council of State Agencies drew up procedures for a 100 percent inventory of all rural roads in Wisconsin.

Each county organized a local committee. Participating personnel and agencies included the Soil Conservation Service, Extension Service, Forest Service, Wisconsin Department of Natural Resources, Wisconsin Department of Transportation, Wisconsin Department of Local Affairs and Development, soil and water conservation district supervisors, County Agricultural Stabilization and Conservation Service committees, and county officials of Farmers Home Administration. Other local, state, and federal agency people frequently helped. The SCS district conservationist generally served as chairman. A number of county Technical Action Panels (TAPs) chose this as a special project.

Tabulations for each eroding area included length, width, and total area in square feet. Surveyors marked each location in a plat book now filed in SCS work unit offices. Compilations by townships were sent to the state committee for checking, then the information was summarized on a county and state basis.

Town and county roads account for 97 percent of all roadside erosion. Nearly three-fourths (73 percent) occurs along town roads; one-fourth (24 percent) along county roads; and the remaining 3 percent along state roads. Vegetation along state roads generally rates excellent.

The published report gives a state summary and a breakdown of the findings by counties. Tables include extent of erosion along roads—town, county, and state. One table ranks the 15 counties with the most erosion. It shows that one-third of all roadside erosion is found in six counties, and more than half occurs in 15 counties.

Persons making the inventory indicated the control needed on each eroding site. Total figures show that more than half (54 percent) of the sites could be controlled by fertilizing, seeding, and mulching. More than one-third (37 percent) requires sloping, fertilizing, seeding, and mulching. The balance or nine percent needs "the works" including structures, sloping, fertilizing, seeding, and mulching.

Only areas of more than 100 square feet were recorded. The figures, therefore, do not represent all of the roadside erosion. The committee prepared individual county supplements for town and county officials. These tabulate erosion along town, county, and state roads on a legal township basis.

Local news media publicized the survey widely and created an awareness of the problem. People and organizations have started an "action" program. Soil and water conservation districts are recognizing roadside erosion in their work plans. Districts and counties are purchasing hydroseeders and mulchers. Several counties and townships are developing policies for proper control of roadside erosion.

The report distributed widely, urges local, county, and state officials to take corrective action as soon as possible. Recommendations include:

- (1) Develop action programs giving consideration to adopting timetables for achieving adequate control.
- (2) Consider purchase and use of specialized seeding and mulching equipment.
- (3) Within the next 5 years, control every site reported that is a major source of sediment in Wisconsin's surface waters.

(4) Consider incentive funds of some sort, including any available for public works, as a way to help speed up roadside-erosion control.

(5) Establish vegetation on all newly constructed road cuts and fills. Waiting for natural seeding is too slow. Provisions should be made to secure wider rights-of-way where needed.

(6) Build sediment-retention structures as a part of all new construction. Maintain them

until permanent structures and vegetation achieve adequate control.

The time of gathering data proved opportune to collect other pertinent information. Local committees outlined selective brush management sites suitable for maintaining highway rights-of-way in native shrubs. They also recorded unsightly conditions, including dilapidated buildings, auto graveyards (three or more cars), and dumping grounds. These items were reported separately.

ROADSIDE EROSION AND CONTROL NEEDED IN WISCONSIN

Control needed	Town acres	Roads percent	County acres	Roads percent	State acres	Roads percent	All acres	Roads percent
Fertilize, seed, and mulch.....	2,640	50	1,130	64	150	69	3,920	54
Slope, fertilize, seed, and mulch.....	2,140	40	490	28	50	22	2,680	37
Structure, slope, fertilize, seed, and mulch.....	520	10	150	8	20	9	690	9
Total.....	5,300	100	1,770	100	220	100	7,290	100

[From the Washington Post, Sept. 15, 1969]  
EROSION IS BLAMED ON TWO ROADS

Construction of two major roads through part of Fairfax County in the early 1960s caused soil erosion to zoom to 200 times the normal rate there, the U.S. Geological Survey reported yesterday.

According to a Survey study conducted between 1961 and 1964, about 16,600 tons of sand, silt and clay washed down Scotts Run each year because of construction of the Capital Beltway and the Dulles Airport access road.

The normal annual erosion for such an area, the study calculated, is about 38 tons.

Soil erosion clogs streams, reducing flood protection, contaminates water supplies, and destroys marine ecology by ruining feeding and spawning grounds and covering shellfish beds.

The report was released during a national conference on sediment control scheduled to end today in Washington. The document will be made available to Fairfax planners to aid them in tightening present erosion controls.

According to the report, about half the sediment that washed into Scotts Run remained somewhere in the stream basin. The rest was carried into the Potomac River.

The study concludes that during a period of normal annual rainfall, the average erosion for similar construction sites in Northern Virginia is about 150 tons per acre, or 96,500 tons per square mile.

Normal erosion is accelerated when natural cover is stripped off and the terrain rearranged.

#### SOME FACTS ON THE OREGON AND CALIFORNIA LANDS IN OREGON

Mr. PROXMIRE. Mr. President, on September 22, I introduced S. 2943 to amend the payment provision of the Oregon and California Land Grant Act of 1937.

For fiscal year 1970, 18 counties in western Oregon will receive payments in lieu of taxes totaling \$32,000,000. I estimate that these payments will exceed the taxes paid on private timber lands by an average of 8.1 times. I estimate that one county's payments will be 149 times greater than taxes paid on comparable private timber and lands, another 99 times greater, a third will run 42.2 times greater, a fourth 34.5 times greater. A precise calculation might show some difference, but in general terms these facts show that the Government will pay these counties an average of \$12.50 per acre in fiscal year 1970 while taxes on private

timber land average only about \$1.55 per acre.

In order that Oregon residents, including the Senators from Oregon, can have the opportunity to examine my figures, I ask unanimous consent that two tables of statistics be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. Mr. President, I will readily admit that an application of exact millage rates by taxing districts would produce slightly different data but, in general, it is my position that these are reasonably accurate comparisons.

An analysis by the Bureau of Governmental Research at the University of Oregon for the O. & C. counties suggests that if the O. & C. lands in Josephine County were on the tax rolls they would pay \$1,123,720 compared to the almost \$3.9 million the counties will get this year. However, I estimate that private timber and land in Josephine County pays only 25 cents per acre in taxes and that if the O. & C. lands were taxed on the same basis as private timber lands the counties would have received less than \$100,000.

Not only is the Federal Treasury being milked by the continuation of the Oregon and California Act payment provisions, but there is reason to believe that, in fact, private timber in Oregon is given preferential tax treatment. It is not taxed on the same basis as are farms, homes, and businesses. For example, in at least one major Oregon timber county the volume of timber standing on private lands by official U.S. statistics is over three times greater than the State and county tax assessors report for assessment purposes. This raises an additional question of whether private timber is carrying its fair share of Oregon's tax load.

There are 111,015 billion board feet of timber in 17 western Oregon counties which carry an assessed value of only \$436.7 million. The assessed value of this private timber is less than \$4 per thousand board feet, when, in fact—as testimony before the Banking and Currency Committee showed—timber is worth over \$50 per thousand board feet.

In addition, in 1968 the O. & C. lands supplied on a sustained yield basis a harvest equal to about 650 board feet of



timber per acre. Private timber, much of which is not on sustained yield, provided a cut equal to about 520 board feet per acre.

The facts suggest that the O. & C. forest is doing more than its share for Oregon. Its timber is cut on a sustained yield basis; the revenue totally supports this sustained yield operation. These timber

payments also support the construction of roads and schools, the funding of welfare programs and many other public services.

When I first started to look into this question, the only issue was the overpayments on the O. & C. lands. However, the facts also suggest that Oregonians ought to determine whether the private

timber lands are undertaxed. If it is proper for the O. & C. lands to pay \$12.50 per acre as a tax equivalent, then private timber lands should pay comparable taxes rather than the \$1.55 per acre they pay. On the other hand, if \$1.55 per acre is a fair tax on private timber, then the U.S. Treasury should not pay \$12.50 per acre in lieu of taxes on the O. & C. lands.

## EXHIBIT 1

## ESTIMATED PAYMENTS MADE BY PRIVATE TIMBER AND LAND IN 17 WESTERN OREGON COUNTIES

	Private acres <sup>1</sup>	Land tax at 20 cents per acre <sup>2</sup>	Timber assessed value (millions) <sup>3</sup>	Estimated County tax rate (thousands) <sup>4</sup>	Timber tax <sup>5</sup>	Western Oregon additional timber tax, 1968 <sup>6</sup>	Estimated total tax <sup>7</sup>	Private tax per acre <sup>8</sup>
Benton.....	191,000	\$39,000	\$9.0	\$19.00	\$171,000	\$19,000	\$229,000	\$1.20
Clackamas.....	324,000	66,000	11.3	20.00	226,000	46,000	338,000	1.05
Columbia.....	317,000	64,000	4.5	23.00	103,500	12,500	180,000	.60
Coos.....	597,000	120,000	42.4	21.00	890,400	195,600	1,206,000	2.05
Curry.....	310,000	62,000	15.0	19.00	285,000	67,000	414,000	1.35
Douglas.....	1,220,000	244,000	103.0	15.00	1,545,000	167,000	1,956,000	1.60
Jackson.....	566,000	114,000	15.9	19.00	302,000	42,000	458,000	.85
Josephine.....	228,000	46,000	.9	17.00	15,300	2,200	63,500	.25
Klamath.....	903,000	182,000	83.0	19.00	1,577,000	204,000	1,963,000	2.20
Lane.....	367,000	74,000	19.0	15.00	285,000	93,000	452,000	1.25
Lincoln.....	515,000	104,000	96.0	16.00	1,536,000	155,000	1,795,000	3.50
Linn.....	151,000	30,000	6.0	15.00	90,000	7,000	127,000	.85
Marion.....	56,000	12,000	.7	25.00	17,500	1,000	30,500	.55
Multnomah.....	235,000	48,000	7.1	17.00	120,700	21,300	190,000	.85
Polk.....	202,000	40,000	17.0	19.00	323,000	35,000	398,000	2.00
Tillamook.....	160,000	32,000	2.0	21.00	42,000	6,000	80,000	.50
Washington.....	192,000	40,000	4.6	21.00	96,600	6,400	143,000	.75
Yamhill.....								
Total or average.....	6,534,000	1,317,000	436.7	17.46	7,626,000	1,080,000	10,023,000	1.55

<sup>1</sup> The significance of the O. & C. forest resources in western Oregon, p. 146.

<sup>2</sup> Calculated col. 1×20 cents per acre. Estimated assessed value average \$11.50 for bare land.

<sup>3</sup> Oregon State Tax Commission report, 29th biennium, p. 91.

<sup>4</sup> See source<sup>1</sup> above table 31, col. 8 (rounded up to next whole dollar).

<sup>5</sup> Calculated col. 3×4 (rounded).

<sup>6</sup> See source (3) above, p. 105, col. 6.

<sup>7</sup> Cols. 8+11+12 (rounded).

<sup>8</sup> Calculated col. 1÷col. 7 (rounded).

<sup>9</sup> Timber taxed on a yield tax basis rather than ad valorem basis.

## PAYMENTS AND OVERPAYMENTS ON O. &amp; C. LANDS, OREGON

	Percent of record paid to each county <sup>1</sup>	O. & C. acres <sup>2</sup>	Distribution based on \$25,500,000, fiscal year 1969 <sup>3</sup>	Per acre payment <sup>4</sup>	Distribution, fiscal year 1970, \$32,000,000 <sup>5</sup>	Per acre <sup>6</sup>	Overpayment ratio, 1969 <sup>7</sup>	Overpayment ratio, 1970 <sup>8</sup>
Benton.....	\$2.81	\$52,521	\$716,550	\$13.65	\$899,200	\$17.10	\$11.3	\$14.2
Clackamas.....	5.55	91,807	1,415,250	15.40	1,776,000	19.35	14.7	19.2
Columbia.....	2.06	11,079	525,300	47.40	659,200	59.50	79.0	99.0
Coos.....	5.90	121,984	1,504,500	12.35	1,888,000	15.50	6.0	7.6
Curry.....	3.65	93,416	930,750	9.95	1,168,000	12.50	7.4	9.3
Douglas.....	25.05	706,334	6,387,750	9.05	8,016,000	11.35	5.6	7.1
Jackson.....	15.67	435,186	3,995,850	9.20	5,014,400	11.50	10.7	13.5
Josephine.....	12.08	366,600	3,080,400	8.40	3,865,600	10.55	33.6	42.2
Klamath.....	2.34	67,305	596,700	8.85	748,800	11.15		
Lane.....	15.27	374,305	3,893,850	10.40	4,886,400	13.05	4.7	5.9
Lincoln.....	.36	9,220	91,800	9.95	115,200	12.50	8.0	10.2
Linn.....	2.64	86,166	673,200	7.80	844,800	9.80	2.2	2.8
Marion.....	1.46	20,712	372,300	18.45	467,200	23.15	21.7	27.3
Multnomah.....	1.09	4,247	277,950	65.45	348,800	82.10	118.0	149.0
Polk.....	2.16	42,205	550,800	13.05	691,200	16.45	15.4	19.4
Tillamook.....	.56	25,570	142,800	5.60	179,200	7.00	2.8	3.5
Washington.....	.63	11,695	160,650	13.75	201,600	17.25	27.5	34.5
Yamhill.....	.72	41,453	183,600	4.40	230,400	5.55	5.9	7.4
Total or average.....	100.00	2,563,805	25,500,000	10.00	32,000,000	12.50	6.45	8.10

<sup>1</sup> The significance of the O. & C. forest resource in western Oregon, p. 60.

<sup>2</sup> Public land statistics, p. 133.

<sup>3</sup> Calculated col. 1×\$25,500,000.

<sup>4</sup> Calculated col. 2÷col. 3.

<sup>5</sup> Calculated col. 1×\$32,000,000.

<sup>6</sup> Calculated col. 2÷col. 5.

<sup>7</sup> Calculated private tax per acre÷col. 4.

<sup>8</sup> Calculated private tax per acre÷col. 6.

## SCHOOL PRAYER

Mr. BYRD of West Virginia. Mr. President, on October 8, 1969, I made a statement for radio concerning my proposed amendment to the U.S. Constitution. The amendment would make clear the right of persons who are lawfully assembled to participate voluntarily in nondenominational prayer.

I ask unanimous consent that the transcript of that statement be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

OCXV—1912—Part 22

## SCHOOL PRAYER

I have introduced in the United States Senate a proposed amendment to the United States Constitution which would make clear the right of persons who are lawfully assembled to participate voluntarily in nondenominational prayer. The Federal courts have never prohibited voluntary prayer, and I want to make clear that they do not do this in the future.

I think that the fears which recent Federal decisions have inspired and the implications which they contain, together with the results which might flow from these Federal court decisions, make it imperative that the Congress take cognizance of the matter and act to give the people of our country an

opportunity to make their feelings known and their voices heard on a Constitutional amendment which would clarify the matter of school prayer.

My amendment is simple. It does not place any responsibility upon anyone, and it does not authorize any person or authority to dictate the form or the content of a prayer. It merely makes clear that no court can take action to obstruct the right of persons who are lawfully assembled to voluntarily participate in nondenominational prayer even though such prayer is conducted in any public building, such as a school, which receives all or a part of its financial support through public moneys. My amendment gives no authority to any official body

to dictate the form or conduct of a prayer, but it does not restrict any official body from providing for or permitting voluntary participation in nondenominational prayer.

In all of the prayer cases, the decisions have been based on the Court's interpretation of the Federal Constitution. That Constitution was ordained by the people, and in Article V of the original Constitution the people reserved to themselves the right to amend it. And so the issue, as far as I am concerned, is quite clear.

Shall the people be afforded an opportunity to pass judgment on language which would clarify this vexing problem before it may be carried to ridiculous extremes in other suits which may be filed by atheists or agnostics?

My proposal would clarify the situation and remove the possible implications which constantly hover over every teacher and principal in the land as well as over the school boards and authorities who are charged with administering our public education system.

The adoption of this resolution by Congress would require a favorable vote by two-thirds of the members of both Houses. And this will be difficult, but I think a continuing effort should be made. For years, I cosponsored such an amendment with the late Senator Everett Dirksen. We were able to secure a majority vote in the Senate, upon one occasion, but we were unable to secure a two-thirds vote. And so I intend to keep on fighting for the adoption of this resolution.

Man must look to a God for comfort and as a source for inner strength and hope. Our Nation became a great Republic, and this can be attributed, in part at least, to the fact that the men and the women who have led the Nation from its birth have been individuals who believed in the existence of a Supreme Being. They came from many denominations and from many religious faiths, but the important thing is that they looked to God for guidance.

Throughout the years, the school children of our country have had exposure to prayer in the public schools. All too often, outside the school, they only heard a reference to God when His name was spoken in vain. The reference to the Deity in a school prayer was their only introduction to communion with a Supreme Being and their only experience with a spiritual atmosphere. The recent Federal Court decisions have caused a great deal of misunderstanding and the result has been that so many millions of our Nation's children no longer have even this brief exposure to prayer.

There are those who say that prayer should be something for the home and for the church, and this is true. But so often the home neglects its responsibility and parents fail in their responsibility to take their children to church. And, as a result, the burden falls on the school.

How strange that we spend millions of dollars in public funds every year to develop the physical fitness of American youth, but when it comes to developing the spiritual muscles through prayer, our children are being deprived.

I do not want to force any denominational faith or prayer upon anyone, but I do believe that the wishes of the overwhelming majority of the American people should be listened to and should not be subordinated to the whims of a handful of atheists.

I believe, therefore, that we should press for the adoption of this amendment and I intend to do this.

I am for rendering unto Caesar the things that are Caesar's, but I think that we should give God a little also.

#### TAXES ON FOUNDATIONS

Mr. MONDALE. Mr. President, I am quite concerned about the tax bill's provisions

which may reduce the support for educational and charitable institutions, museums, and other beneficial activities supported by foundations or individual philanthropy. An excellent statement about the problem has been submitted to the Senate Finance Committee by the president of the University of Minnesota, Malcolm Moos. Dr. Moos is uniquely qualified to address this issue because he is not only the president of one of the Nation's great universities, but is a former Federal official and a former officer of the Ford Foundation.

I believe this statement deserves the attention of my colleagues and of others who read the CONGRESSIONAL RECORD. Accordingly, I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF DR. MALCOLM MOOS, PRESIDENT, UNIVERSITY OF MINNESOTA, ON TAX TREATMENT OF FOUNDATION AND CHARITABLE CONTRIBUTIONS

These comments are offered from the perspective of one who is currently the president of one of the nation's largest public universities and was formerly a program officer of the Ford Foundation.

I should like to limit my attention to those aspects of the proposed Tax Reform Act of 1969 (H.R. 13270) which seem to me to have important and negative implications for public and private higher education, and the vital supportive role that the best of our foundations provide to both. The word "best" is used advisedly; I have no desire to protect those who would mask their profit-making or political or ideological activities by identifying their organizations as educational foundations. On the other hand, I hope to demonstrate that both public and private education in this nation are in need of greater, rather than less, support from the legitimate foundation activities threatened by the proposed reforms.

I should also like to point out that I am personally in favor of major reform in our tax legislation, and I do not know a single responsible member of the higher education community who is not. First of all, as observers and students of the national scene (and taxpayers ourselves), it is clear to us that inequities and potential for abuse in our current tax structures cripple the morale of taxpayers and raise legitimate questions from them about the degree to which they should be expected to subsidize the opportunism of others. Nothing except broad reform measures, of the scope contemplated by the Congress, can restore the integrity of American tax policy. Second, since the legitimate needs of public higher education in America will require additional tax revenues and since the availability of these additional funds depends on the continuing good faith of taxpayers, the American citizen must not become cynical about the burden of taxes he bears or the uses either of tax revenues or of funds exempted from taxation. Both reason and self-interest argue for major tax reforms.

However, I do take exception to some of the details of the legislation before this committee. In my judgment, they will have unfortunate consequences for universities. I also believe that Congress would not wish those consequences to occur. The health, and possibly the independence and autonomy of many of our institutions can be seriously damaged by the provisions which affect individual and foundation giving to public and private higher education.

#### USE OF PRIVATE FUNDS

Private gifts constitute vital income for the nation's institutions of higher education, both private and public. A state university like the University of Minnesota, of course, is not so dependent on gift income of various kinds for its general operating costs as a private university. I am certain that the private universities can adequately describe both their presently dire financial straits and the damage that reductions in gifts of various kinds would do. For some of them, their very existence would be threatened.

For all of them, the uncertainties add further to the already grave discussions of whether dual private and public systems of higher education sustained in the United States. I need not list the many reasons for the opinion of the higher education community in this country that the nation is best served through widely differing approaches to support organization and instruction in higher education. Any threat to the financial support and therefore to the quality and quantity of private higher education is a threat to all of higher education.

But private income plays an essential and irreplaceable role in public higher education, as well. At the University of Minnesota, for example, the complete budgeted expenditures of private resources totalled about \$31 million during the past five years. These expenditures, of course, constituted a small proportion of the total University budget for that period of time, but analysis of those expenditures is revealing. They have an importance far beyond their amounts in dollars and cents.

1. Budget amounts from private sources are increasing substantially in total dollars and also provide an increasing proportion of the University's income. In the year ended June 30, 1969, the University of Minnesota spent \$9,254,925 from these sources, up nearly 40 per cent from the previous year. In the year ended June 30, 1969, expenditures from these sources made up 4.5 per cent of the University's total budget, compared with 3.3 per cent four years earlier. Furthermore, the University of Minnesota is not alone in this regard. Efforts to improve investment of university funds and solicit greater support from private sources have paralleled the huge increase in higher education enrollments throughout the nation and the accompanying pressure on public sources of support.

2. Private support has been used for purposes absolutely critical to the excellence and progress of the University of Minnesota—purposes for which public funds could not be available at the opportune time or could not be available at all. For example, the following efforts undertaken at the University of Minnesota during the past five years could not have been accomplished without substantial or complete funding from these sources:

- (a) The initiation of the Center for Programmed Learning.
- (b) The initiation of the Department of Family Practice and Community Health in the College of Medical Sciences.
- (c) The Community-University Health Center.
- (d) The Office of Advanced Drama Research.
- (e) Research on problems in law and society.
- (f) The initiation of a program for low income minority students.

In short, the University of Minnesota depends on private resources for special efforts that are vital to its development and its relevance to the society of the 1970's, but for which public support is, for one reason or another, unavailable.

3. The capacity of a university to meet the demands of the public is directly tied to the availability of these private funds. Without them and the extra resources they provide



a university is less flexible, less innovative, less dynamic than it must be if it is to be truly excellent and responsive. With them, it can make the moves, undertake the studies, catalyze the change, strengthen the weaknesses, create the new units—meet the demands that are not susceptible to regular, proportionately increased state and federal appropriations. These are the hard and real demands of a rapidly changing and problem-ridden society which historically has turned to its resources of public higher education to address itself to these needs. It is ironic that so often it is the support by private gift or foundation that really enables the public university to do what the public demands of it. One important example at the University of Minnesota is the development of a new program in Family Practice and Community Health, which was made possible by a grant given by the Louis W. and Maud Hill Family Foundation. The development of this program was in response to the public demand of Minnesota that our health care delivery system is presently inadequate to meet the demands for health services.

4. Clearly many of the resources of a university that give it special distinction as a community or national resource are the direct result of gifts facilitated by the tax provisions which are under question before this committee. Works of art, collections of private papers, books, and even whole libraries often come into the possession of a university museum, or other institution as gifts with tax relief implications for the donors. Such gifts then become public resources, where they once were private and unavailable to their communities. They enhance the institution and the community and help the university to serve its historic role of heightening the quality of life in the society through the careful stewardship and cultivation of educational resources.

#### WEAKNESS IN THE LEGISLATION

Under Sections 101 and 201 of the proposed legislation, H.R. 13270, there could be serious disruption of these vital resources.

1. The proposed legislation would make gift planning extremely complicated for individual donors, especially where appreciated property is involved. The tax advantage to the donor, though it fortunately remains a significant one, would be less than under the present law. How much that one fact will affect the volume of private contributions is unclear. But even more important is the difficulty of estimating how much the tax advantage would be at any one time. In a given situation the planning of a large gift of appreciated property involves so many indefinites and interdependencies that a donor might be persuaded to do nothing at all, especially since the tax advantage is decreased in any case from its present status. While there is definitely a need to place some limitations on deductibility and avoid relieving donors from having any tax obligations at all, it is unfortunate from our standpoint that the proposed changes should compound the effects of limiting deductions by adding a good deal of confusion to the computation.

2. By discouraging large gifts, the proposed regulations would complicate the use of these gifts by the institutions which receive them. Large gifts have a double advantage for an institution like the University of Minnesota, for they cut the proportional costs of fund-raising at the same time that they make it possible for the institution to make better plans for their use. A single gift, if it is large enough, may be dedicated to a single, independent, long-range use, thus providing assurance of future availability of funds for that purpose. The limitation on gifts of appreciated property to 30 per cent in the case of individuals appears certain to reduce the size of gifts.

3. To the extent that these laws and regulations bring a general reduction in private giving to the University of Minnesota or other educational institutions—or even a reduction in the rate of increase of giving—the proposed laws will increase the pressure on students and federal and state treasuries for support of higher education. This is a time of significant change in higher education, and of phenomenal growth as well. Throughout the nation, state governments are reaching the limits of their ability to finance public needs and retain the good will of taxpayers at the same time; and the difficulties of federal financing of public education need no elaboration before this body. The result is that students in public institutions of higher education are being required to provide an escalating share of the costs of that education. At the same time, institutions are struggling to maintain quality instruction in the face of increased numbers and costs, while they are faced with constant and justified demands to provide education that is more relevant to our complex and technical society.

The members of this committee are well aware of the increasing demand for student assistance funds. In the case of loans a nearly unbearable debt burden is placed on students who are not fortunate enough to have their educations financed for them. To the extent that universities are caught between pressure to limit taxation and this anticipated reduction of private financing, the visible remaining source of income is our students. The proposed changes in tax legislation, while they do not affect public institutions as harshly as private institutions, will nevertheless cause a greater hardship for our students.

#### FOUNDATIONS

4. Finally, there is little doubt that the proposed regulations will adversely affect both the fund-raising and fund-distributing capacities of our private foundations. As a matter of fact, that appears to have been at least partly the intention of the House bill.

As I stated earlier, I have no interest in protecting any organization that tries to dignify its political, profit-making, or ideological thrusts through the protections that have been provided to private foundations under our laws. But it is absolutely vital to distinguish those misuses of the law from the legitimate and very valuable support and services provided by our best foundations to American higher education in particular and to the American society in general.

(a) First of all, every effect of the proposed tax reforms on private giving is an effect on foundations as well. Like the universities, they receive and manage gifts from individuals, using the proceeds for their own research and support efforts, many of which are carried on in the universities. Their gifts to the universities, in turn, assist those institutions in the same way that private gifts assist them—by providing support of critical efforts for which funds would otherwise not be available. A qualifying foundation under the proposed law, then, will suffer from the same problems and the universities will suffer the effects of those problems in potentially reduced income.

(b) Besides the total value of the support universities receive from our legitimate foundations, there are other important functions they provide as well. In its relationship to a university, a foundation reduces the costs of fund-raising for that university by acting as a sort of broker. To the extent that the proposed law reduces the capacity of the foundations to accept and distribute funds, it will complicate the fund-raising activities of individual institutions, which have in the past had a dependable and flexible intermediary in the private foundation. The impact of these laws would be especially great in the

contribution of appreciated properties to foundations.

(c) The weakening of the role of foundations in higher education would reduce the contribution foundations make to the improvement of higher education as well. Many private foundations not only act as convenient resources for the collection and distribution of private funds to universities, but also function as coordinators of research and support of specific matters of substance.

A foundation may undertake to study a particular issue or procedure—for example, the development of university information management systems—and thus establish itself as a national resource in that field. Through such a function, the foundation reduces the necessity for overlapping studies in individual universities and increases the possibility that an acceptable common practice can be established. Such efforts are expensive and require resources which are not available in a single institution. The foundation can commit the required funds centrally and coordinate the use of resources—functions which no individual institution can manage.

In this function, in fact, private foundations provide a desirable alternative resource to the involvement of the federal government in such efforts, since the federal government is the only other institution which can muster the financial resources and operate throughout the nation to make use of resources in individual institutions.

(d) For foundations which make these contributions to American higher education, perhaps the most unprecedented and undesirable aspect of the proposed legislation is the 7½ percent tax on investment income of the foundations. The effect of this taxation would be a direct reduction in the amount of funds available to universities through the foundations, thus striking at the support of the vital university efforts outlined above. For foundations involved in legitimate educational efforts, this seems unnecessarily punitive.

The Louis W. and Maud Hill Family Foundation in St. Paul is heavily involved in grants to institutions of higher education, including the University of Minnesota, and has provided information that indicates that the 7½ per cent tax, exclusive of tax on capital gains, would diminish the amounts available annually for grant purposes by at least \$177,000. This relatively small foundation supported efforts at the University of Minnesota amounting to more than \$600,000 during the fiscal year ending in 1969. If it should determine that the University of Minnesota must bear the entire brunt of its new tax-paying status, more than one-fourth of the critically-needed funds from this foundation would disappear from the University's budget. However, if it were to distribute the reduction, essential efforts would be curtailed in the institutions to which the Foundation provides grants. There simply would be that much less money available for distribution. And, as the spokesman for the foundation points out, "Of course, all foundations would be subject to the same tax and would have less funds for grant-making purposes." Furthermore, if capital gains income should be taxed in this foundation, the loss to grant-receiving institutions would be approximately doubled. Interestingly enough, this loss to institutions would be a loss to those organizations which the proposed legislation, for the most part, specifically excludes from taxation.

It makes little sense to require taxes to be paid from funds which would have supported cancer research and student assistance programs but not from those which support the self-serving activities of trade associations and other lobbying organizations. The tradition of Congressional treatment of charitable organizations has been to place them

in a favored position. If there are deficiencies in the present tax law, I strongly believe that Congressional acumen can resolve them in a manner consistent with the traditions that have fostered support rather than diminished it. It is difficult to see why the Congress should change that emphasis at a time when educational and charitable causes need strengthening.

Finally, as a student of government stretching across a quarter century of teaching at Johns Hopkins, Michigan, and Columbia, I find the sections of the bill that would muzzle groups from making representations before Congress appalling. Such a sweeping restriction would tend to stifle the very breath of a pluralistic society and in my judgment ought to be eliminated.

#### CONCLUSION

Perhaps the House of Representatives, faced by the praiseworthy pressures for general tax reform, did not give adequate consideration to certain less visible implications of the proposed tax reform bill. The leadership of American higher education, both private and public, hopes these critical issues will receive careful consideration before action is taken in the Senate. Speaking as the president of one of the largest public universities in America who has had experience with private foundations from both perspectives of grant-receiver and foundation officer, it seems to me that the following specific recommendations should be considered by this committee:

1. At the same time that limitations are placed on the deductibility of charitable contributions, including gifts of appreciated property, ways should be found to formulate deductibility so that the complexity of computation does not increase the likelihood of reduced gifts to institutions which need them so badly.

2. In considering the possible reduction in total giving which this proposed law may bring about, further attention should be paid to the public benefits which are achieved by the donation to institutions, libraries, and museums of paintings, books, and collections of valuable papers.

3. In establishing the amount of deductibility of charitable gifts, and therefore assessing the degree to which the federal government should, in effect, encourage such gifts, attention should be given to the public benefits which flow from those gifts—specific research and educational efforts which make it possible for public as well as private institutions to improve their service to students and the society; the widely accepted viewpoint that the educational quality of our institutions of higher education and the educational health of the nation both require strong private as well as public efforts in higher education; the relief that these gifts provide to state and federal governments and students, all of whom otherwise bear the burden of supporting a growing and changing higher education system in the Nation; and, therefore, the need to encourage increases rather than decreases in private gifts to higher education.

4. Serious consideration should be given to alternatives to the 7½ per cent tax on foundation investment income and stock ownership limitations by some means which will meet the regulatory necessities, but not weaken the capacity of these foundations to support vital activities either within the foundations or at the nation's universities. Alternatives are available to cover the costs of investigating and regulating the activities of foundations which would meet the recognized need to maintain constant examination of foundation activities, without penalizing institutions assisted by the foundations or reducing the clear public benefit that legitimate foundation activities now provide.

5. Finally, tax legislation that affects the

income of public and private higher education should always be considered in the context of the important question of possible alternatives to the contribution made by foundations to research, instruction, and management of American higher education. Greater dependence on the federal government for financial and management support is the only alternative I can visualize.

#### GI BILL ACTION IN SENATE

Mr. MONDALE. Mr. President, on October 8, the gentleman from Pennsylvania, Congressman SAYLOR, placed in the RECORD an editorial from the Army Times charging the Senate Labor and Public Welfare Committee, and specifically its Subcommittee on Veterans' Affairs, with "foot-dragging" on the proposed GI bill rate increases.

I feel that such a charge is very unfair in light of the most commendable and diligent record of the Veterans' Affairs Subcommittee under the chairmanship of the Senator from California, Senator ALAN CRANSTON. As a member of that subcommittee, I speak from firsthand experience in pointing out the great amount of veterans legislation considered and favorably acted upon during this session by the subcommittee and the full Labor and Public Welfare Committee, on the basis of 6 days of hearings.

At the full committee level, the Senator from Texas, Senator RALPH W. YARBOROUGH, chairman of the Labor and Public Welfare Committee, a member of the Veterans' Affairs Subcommittee, and its former chairman of 7 years, has most expeditiously moved this legislation to the floor with the vigorous leadership he has always displayed on veterans education and training measures.

I think that the unfortunate Army Times editorial is fully rebutted by an October 15, 1969, article in the Army Times entitled, "Senate Unit Ups GI Bill" and a letter to the editor from Senator CRANSTON published in the October 22 edition of the Army Times entitled, "Cranston Group Drags No Feet."

Mr. President, I ask unanimous consent that the material referred to immediately above be printed in the RECORD at this point in order that my colleagues may have a clear understanding of the true facts.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Army Times, Oct. 22, 1969]

#### CRANSTON GROUP DRAGS NO FEET

DEAR EDITOR: In your Oct. 1 edition, you published an editorial stating that the Senate Labor and Public Welfare Committee, and its Veterans Affairs Subcommittee, of which I am chairman, had been guilty of "foot-dragging" on important veterans education and training legislation.

I think the record of the subcommittee and the full committee amply rebuts that charge.

The subcommittee has conducted six days of hearings in eight months, equal to the combined number of hearing days by the subcommittee during both sessions of the last Congress. These hearings have been published in three volumes containing more than 630 printed pages of testimony from 54 witnesses, again substantially more than the last two sessions combined.

On the day your editorial appeared, the subcommittee had already been scheduled to

meet the next day, Oct. 2, on these bills in executive session, which it did.

On Oct. 9, based on the subcommittee's unanimous recommendation, the Labor and Public Welfare Committee unanimously ordered reported to the Senate eight veterans bills—two consolidated education and training bills and six hospital and medical care bills.

The Senate action represents the most comprehensive approach to the G.I. bill since it was originally enacted. First, it calls for a far larger and more realistic increase in G.I. bill education rates—46 percent—than the House bill—27 percent. Moreover, it proposes a new comprehensive education and training program, with an estimated first-year cost of almost 150 million dollars.

This comprehensive package of provisions from eight other bills would seek to encourage and assist veterans to make the maximum use of their G.I. bill benefits under the following circumstances.

For those still in service, the bill would authorize direct payment to schools to encourage their participation in a predischARGE education program (PREP) conducted on or near military bases for servicemen shortly before discharge.

The bill would extend G.I. bill allowances to veterans in elementary as well as high school level courses.

It would also extend allowances to veterans in college preparatory courses on college and junior college campuses including courses for correcting academic deficiencies before entering college.

It would supplement educational coverage under the regular G.I. bill, regardless of the educational level, through direct payment to schools providing veterans with remedial tutorial, counselling or other special supplementary assistance to improve educational performance.

The bill would authorize grants to schools to establish special educational programs for veterans, including public service-oriented programs such as for the training of policemen, firemen, medical technicians, and inner-city teachers.

It would permit reduction of minimum college semester-hour requirements for full-time and part-time G.I. bill eligibility.

It would offer veterans the option of counting non-credit hour courses toward their eligibility for full-time allowances.

The bill would greatly expand and provide new orientation for the outreach services program to search out Vietnam veterans and counsel them regarding their benefits and assist them in obtaining them. Included would be payment of reasonable interview and relocation expenses when a veteran so assisted must move to enter a job or training program.

The bill contains some house-passed provisions as follows: (a) to eliminate most of the bars to so-called duplication of education and training benefits; (b) to liberalize measurement of high school courses; (c) to tighten up the prerequisites for pursuing G.I. bill flight training; (d) to permit more rapid payment of the initial G.I. bill allowance to veterans in non-college courses; (e) to make more flexible the measures of widows' and war orphans' eligibility for G.I. bill benefits; (f) and to permit V.A. approval of interstate transportation apprenticeship programs.

I hope this serves to set the record straight and I trust you will publish this letter.

SENATOR ALAN CRANSTON,  
Chairman, Subcommittee on Veterans Affairs.

[From the Army Times, Oct. 15, 1969]

#### SENATE UNIT UPS GI BILL

(By Larry Carney)

WASHINGTON.—A Senate subcommittee has approved legislation to raise GI Bill education and training allowances by 46 percent



and make the increased payments retroactive to September 1.

The measure—approved by the veterans affairs subcommittee of the Senate Labor and Public Welfare Committee—is much more liberal than a similar proposal passed by the House early this summer. The House measure would raise GI Bill allowances an average of only 27 percent. Effective upon enactment.

Full committee action is expected some time around mid-October. Cost for the entire package is estimated at more than \$500 million the first year.

Subcommittee chairman Sen. Alan Cranston (D., Calif.) said the GI Bill hike increase measure was among 19 veterans education and medical bills approved by his group last week.

Three of the bills are designed to encourage more veterans without high school diplomas to get their diplomas under the GI Bill.

To accomplish this, the subcommittee proposes establishment of a new pre-discharge education program for active duty personnel in their last 12 months of service. The subcommittee hopes to tie the program in with Defense Department's Project Transition which trains servicemen approaching separation for civilian skills.

Under the subcommittee bill, the government would pay up to \$150 monthly directly to the school towards education and training costs of servicemen enrolled in duty-hour or off-duty study.

Aid would be limited to servicemen with at least 12 months' service. Those who take advantage of benefits would not have it counted against GI Bill entitlement.

The education program would be in addition to GI Bill benefits already available to servicemen with two or more years' active duty but the legislation would preclude servicemen from taking advantage of both programs at the same time.

Full Senate Labor Committee chairman Sen. Ralph Yarborough (D., Tex.) promises speedy action on the veterans package, hoping to get it to the Senate floor "by the end of October or early November."

The subcommittee bill would raise monthly GI Bill allowances from \$130 to \$190 for single veterans; from \$155 to \$218 for married veterans; and from \$175 to \$240 monthly for veterans with two dependents. Veterans with more than two dependents would get \$15 additional in allowances per child. They now receive \$10 additional per child.

Under the House-passed bill, monthly allowances for single veterans would go to \$165 monthly; to \$197 monthly for veterans with one dependent; and to \$222 monthly for veterans with two dependents. It would provide \$13 additional monthly per child to veterans with more than two dependents.

Other bills approved by the subcommittee would:

Pay special grants to colleges and universities which establish special training projects and tutorial services for disadvantaged veterans.

Provide a 46 percent increase in allowances for orphans and widows taking training under the VA-administered dependents assistance program. Allowances for service-connected disabled veterans taking instruction under the veterans vocational rehabilitation program would be raised to similar levels. Vocational rehabilitation training is generally limited to veterans with disabilities rated 30 percent or more.

Broaden on-the-farm instruction for veterans under the GI Bill.

Permit veterans to borrow up to \$1000 for flight training lessons.

Give unlimited community nursing home care to veterans hospitalized because of a service-connected disability.

Provide hospital and outpatient care to veterans totally and permanently disabled for their non-service-connected ailments.

Entitle veterans drawing non-service-connected disability pensions admittance to VA hospitals without having to take a pauper's oath of inability to pay. A comparable House bill would drop the pauper's oath requirement only for veterans 72 years of age or older. The Senate bill would drop the age limitation and bring an additional 67,000 veterans under its provisions.

Pay for drugs and medical care for permanently housebound veterans, regardless of whether their disability is service-connected.

Increase per diem rates the VA pays state nursing homes for hospital care from the present \$3.50 to \$7.

#### SENATOR ROBERT C. BYRD "TELLS IT LIKE IT IS"

Mr. SCHWEIKER. Mr. President, I ask unanimous consent to insert in the RECORD an editorial from the Weirton, W. Va., Daily Times of October 14, 1969, entitled "Tells It Like It Is," together with a speech, the subject of the editorial, delivered by the junior Senator from West Virginia (Mr. BYRD) to the Weirtonian Lodge No. 183, Italian Sons and Daughters of America, in Weirton, W. Va., Saturday, October 11.

There being no objection, the editorial and the speech were ordered to be printed in the RECORD, as follows:

##### TELLS IT LIKE IT IS

Sen. Robert C. Byrd, who has served 16 years in the House of Representatives and the Senate, spoke bluntly here Saturday about the expanding threat to the security of the nation by hostile minority groups.

He addressed the Weirtonian chapter of the Italian Sons and Daughters of America in the K. of C. and "told it like it is."

Of all the speakers invited to the long series of Weirtonian dinners, Sen. Byrd's remarks were greeted with the most enthusiasm and the most frequent applause.

He praised the great record achieved by nationality minorities who came to America in search of liberty and freedom and stayed to contribute heavily to this nation's great progress.

But the rise of the hippies, the leftists, anarchists and black militants, he said, has created a major crisis in America and he warned that the next 10 years may decide the future of American freedom and democracy.

He said the great majority of Americans—all of whom were in some sort of minority group in the past history of America—are the Forgotten Men of this generation. The Forgotten Men, he said, are those who pay their way, who ask nothing from their government but the opportunity to work and to rear families and be good citizens in an orderly and lawful society.

America's great majority, he said, is made up of many former minorities. They are not minorities anymore. The interwoven strands of the fabric of America have become inseparable.

Sen. Byrd declared that rebellious acts against the government by irresponsible minorities must not be tolerated.

Police should clamp down and the government authorities and the public should support them completely.

He urged that there be no amnesty and no probation granted in criminal cases.

He appealed for an end to terrorism and anarchy and demanded the constitutional rights of the citizens be protected fully.

Sen. Byrd is the third top ranking Democrat in the U.S. Senate, next only to Mike Mansfield and Edward Kennedy. He has great influence in Congress and commands the admiration of most of the people of West Virginia.

Sen. Byrd won his last Senate race by the greatest margin in the history of senatorial races in West Virginia.

He'll be running again in 1970. There isn't a Democrat (including Jay Rockefeller) or a Republican, at this stage, who will be able to stop him at the polls.

##### TELL IT LIKE IT IS

Mr. Sinicropi, Congressman Molloyhan, Mr. Grossi, Mayor Rybka, Father Altmeyer, Mr. Garnetta, members of Weirtonian Lodge No. 183, Italian Sons and Daughters of America, ladies and gentlemen:

It is indeed a pleasure and a high privilege for me to be invited to address you on this delightful occasion.

While all of us are Americans, most of this audience consists of second and third generation Americans of Italian ancestry. The rest of the audience, including myself, consists of Americans whose ancestry is also European—other than Italian—and possibly there are some Americans here whose ancestry is rooted in the Middle East. But whatever the ancestry, as I say, we are all Americans.

In view of the fact that most persons here tonight are of Italian ancestry, I think it would be appropriate and, indeed, desirable for me to say that well over 25 million Americans today are proud to claim a part in the Italian heritage. Heirs of "the grandeur that was Rome," the people of Italy have, century after century, added new dimensions to that grandeur in all the arts and sciences known to man. The Italians of America—and their sons and daughters and grandchildren born here in America—have consistently contributed to our common American cultural heritage, a heritage which is, like love, "a many splendored thing."

What is this heritage to which we all have contributed, regardless of whether our ancestry a century or two or three ago was Scotch, Irish, German, Italian, English, Polish, Greek, Jewish or Lebanese? And how is it meaningful for our Nation in these troubled days?

Let me suggest that this heritage is a composite of many elements and ingredients, which are especially pertinent to the problems we confront at this time in the history of our country and of the world.

Let me suggest that it is a heritage made up of a deep respect for law and good order, and a willingness to work hard and to raise one's self and one's family up in the face of adversity and to enter with ever-increasing effect into the mainstream of American life.

So, I do not speak to you tonight about the beauties of the old world cities, such as Florence and Venice, the golden Bay of Naples, or the hill towns of Tivoli and Assisi, which themselves are among the most beautiful creations of man; nor do I speak of the unique contributions to civilization made by such men as Dante, Michelangelo or Verdi. These have been chronicled beyond number.

But I do feel that I ought to speak of the legacy of strength and stability, resourcefulness and industry which have been so prominently associated with Americans of old world ancestry, and in which we can take such great pride today as we see all about us the need, in our American society, for these characteristics of enduring greatness.

Your ancestors and mine who came to this country from the old world asked no special favors. They sought no special status. They

took this country and this society the way they found it, and they made it their own.

They won the esteem, the admiration, and the respect of other people by their conduct, their industry, their love of home and family life, their desire to get ahead and to succeed on their own merits.

Let me say that I have never personally known of a Hungarian or a Lebanese, a Jew or a Greek or a German or an Italian, etc., being on relief. There may have been such cases, but I have not personally known of them. All whom I have known have worked too hard and have been too industrious and have had too much pride to descend to a life of depending on government handouts.

I do not say this in derogation of welfare recipients *per se*; there are many persons on welfare who are in need of help, but it is not true of all who are on the welfare case-loads today.

Everyone hears excuses today for those who live in the slums. But what are slum dwellers doing for themselves? That is what counts. You have heard the advertisement: "You can get Salem out of the country but you can't get the country out of Salem." I am of the opinion that you can get some people out of the slums, but you can't get the slums out of some people.

Some people will create slums wherever they go. Put them into the best of apartments or family dwellings. Within six months the plumbing will be ripped up, the banisters will be broken down, the windows will be knocked out and the doors kicked in, garbage will be on the floor and in the yard, and rats will be running all over the place.

Most of our early immigrants were crowded into the cities, but they kept the floors scrubbed and their children clean. If there was a square foot of ground, they planted a flower. If there were a few square yards in the back lot, they planted some vegetables. They shined shoes, peddled fish, sold newspapers, and before long they had lifted themselves up by their own bootstraps and had put their children through school and had bought a little property of their own.

We have heard so much in the last few years about discrimination—and I do not defend discrimination based on color or religion. (I do, however, defend discrimination based on conduct.) But those early immigrants were also often discriminated against.

Did they burn cities? Did they go into the streets and loot and destroy? Did they turn in false fire alarms and then throw bottles and bricks at the firemen who came to answer the false calls?

No! They patiently labored to win the confidence and respect of others, and they took their rightful place in the mainstream of American life.

They did not push and shove and threaten and demand something for nothing. They showed themselves to be law-abiding citizens, of good conduct, and they made the grade. They were the rock-ribbed stuff that America was made of. They made their own way, educated themselves and their children, contributed to their communities out of their own talents and they were good neighbors, good citizens, and good Americans.

It was that sturdy stock which made America a great Republic. And if America is to be restored to its former greatness, it will be because those of us who live today are determined to perpetuate the ideals and the traditions, the respect for law and order, the high regard for work, the rugged individualism and the faith of our fathers.

If I may digress for a moment, some years ago, I was in Iraq, the land known in Biblical times as Mesopotamia—the land between the two great rivers, the Tigris and the Euphrates.

One day, I journeyed with an old Arab guide from Baghdad down to the ancient city of Babylon on the banks of the Eu-

phrates. He showed me the site where Belshazzar's hall had once stood, and we stood at the place where Belshazzar's feast had been held.

Belshazzar, you remember, was the King of Babylon who gave a great banquet for his friends, inviting a thousand of his lords. At one point in the banquet, the king asked the servants to bring in the sacred golden vessels that his father had taken from the house of God, the Temple in Jerusalem, and the king and his friends drank from the sacred vessels.

As this was taking place, the fingers of a man's hand appeared and began to write on the wall of the King's palace.

Belshazzar did not know what the words meant, and the wise men of his realm were unable to interpret the words for him. Finally, he sent for Daniel, one of the thousands who had been forced into exile, and who had won for himself a reputation for being able to interpret the meaning of things hidden from others.

Daniel interpreted the writing that was written:

"... God hath numbered thy kingdom, and finished it... Thou art weighed in the balances, and art found wanting... Thy kingdom is divided, and given to the Medes and Persians."

The handwriting on the wall was a message of impending doom. That very night, king Belshazzar was slain and Babylon fell.

Do you see any handwriting on the wall today?

I suggest that the handwriting is plain and that it is just as timely and serious as it was in the ancient story, and that it calls us as a Nation to return to the great and abiding truths implicit in the heritage that is ours as Americans.

I think the average citizen is more deeply troubled about his country's future today than at any time since the great depression in the early thirties.

Every time we turn around there is a crisis of some sort—the welfare crisis, the urban crisis, the pollution crisis, the Vietnam crisis, the inflation crisis, the civil rights crisis—one crisis after another. There just seems to be no place where one can escape anymore.

We seem to be fighting a futile war abroad and living in a malignant racial atmosphere at home.

Middle class values are under more obdurate attack today than ever before—what you believed in, and what you learned in school, in church, and from parents.

The sanctity of work is questioned, and the stability of the family is becoming less and less an American virtue.

The American home is becoming the target for the most salacious pornography; and the exploitation of sex and nudity in the mass media erodes morals further every passing day.

Premarital chastity is old fashioned; filial gratitude for parental sacrifice is looked upon as something square; and work is something to be studiously avoided. Nobody wants to start at the bottom anymore.

We see violence and sex and drugs on television; and the streets and parks are filled with hippies with their love beads and black militants with their African bush haircuts.

The SDS is making inroads into the high schools; teachers are beaten up; hoodlums brandish switch-blade knives in the hallways; and policemen have to be stationed in city schools to keep order.

Black militants—and not all Negroes are black militants—have interrupted church services to demand—and they are getting—reparations from the churches; they threaten to close down the banks and industrial plants; and the Kerner Commission blames it all on white racism. The fact is there has been racism on both sides.

We are told we must feel guilty for the sins of the slave owners a century or two or three ago; and society is blamed for having made the rapist, the murderer, and the mugger what he is.

The past half-dozen years have seen protest marches, civil disorders, so-called civil disobedience, demonstrations, race riots, and city block after city block destroyed by the torch.

Motorists have been pulled from their automobiles and their cars set afire.

Looting has become all too commonplace, while the National Guard has been ordered to stand by with guns empty.

Policemen have been abused, maligned, assaulted, and stomped to death in the streets by mobs.

Militants have taken over local school board meetings, city council meetings, and the halls of state legislatures; and, in some instances, they have been led by individuals who claim to be clergymen.

University speakers have been forced to cancel speeches by dissenters who cannot brook dissent.

College Presidents have been ejected from their offices by student extremists.

Militants, armed with shotguns, hatchets, and knives, and shouting Black Power slogans, have taken over administration buildings, and TV viewers have seen school officials capitulate to the arrogant demands of troublemakers.

Black Panthers and street gangs foment revolution and advocate guerrilla warfare.

Inflation erodes everybody's pay check, and the government adds a surtax on income.

Illegitimacy is growing apace, and the Federal Government is subsidizing it through welfare spending.

Welfare rolls are burgeoning—and I am not against welfare for the needy. Militant welfare mothers have formed an alliance to demand higher welfare checks, and they will spit in your face if you dare suggest that they go to work.

Government anti-poverty programs have been used to incite unrest and rebellion.

The nationwide increase in crime is 9 times the increase in population, and the Nation's Capital is fast becoming a city of fear and violence.

The state of the Nation is increasingly a matter of concern to the thinking citizen, and the future of the Republic is to be viewed with alarm.

One may, with justification, ask the question: "Will the Republic survive?"

This will depend, in my judgment, largely upon the kind of leadership which is given to the Nation during the next ten years.

If we have leaders who show continued weakness in the face of threats, who yield to the demands of militants, and who sacrifice the good of the Nation for political expediency, then our country has seen its best days.

On the other hand, if we have the kind of leaders which the times require—men who are willing to take a stand against those who want something for nothing and against those who seek to acquire, by intimidation and threat, property and privileges which they are unwilling, or which they lack the ability, to acquire through hard work, perseverance, and deserving effort; men who will put country first and votes second; men who will insist upon equal rights for all people and not just for a minority—then there may yet be some hope for the future.

Somebody is going to have to talk sense—common sense.

What is needed is more discipline and more guts, with less pandering to the demands of a militant minority.

Militants who take the law into their own hands should no longer be granted amnesty for their criminal acts.

Defiance of authority—whether in the



schoolroom or in the street—must not be tolerated.

School boards, school principals, and college presidents who insist upon discipline must be given the strong backing of the people.

Law enforcement authorities and the chief executive officers of state and nation should make it indubitably clear that whatever power is necessary will be used with firmness, determination, and without hesitancy to deal with riots and rioters, mobs and mob violence, and that innocent law-abiding citizens—both black and white—and their property will be protected at whatever cost is required.

Criminals should be taught once again that crime does not pay. And every public official in this country ought to take a stand for the police and against the hoodlum.

The great silent majority, which has been patient so long, must not allow itself to be further browbeaten, intimidated, and mesmerized into a state of uncertainty and fear.

People are going to have to think for themselves and not let left-wing commentators and left-wing big city newspaper columnists and pseudo-intellectuals overly influence their opinions and viewpoints.

Both political parties must espouse integrity in government, respect for law and order, and fewer handouts to people who are able to work for themselves.

In this regard, may I say that I want to help people who need help; and it is our duty to assist the widow and the orphan, the poor, and the afflicted. But we do no man a favor by encouraging him to live on the dole when he is physically and mentally able to work and when there is work to do.

Americans must speak out against violence, hooliganism, and disorder. They must also speak out against cheaters, whether at the public trough or on the welfare rolls.

We need to be concerned about principles as much as about programs. Our country has strayed too far afield from the fundamentals from which its strength and greatness have been derived. We cannot continue along the road we lately have been traveling without inviting eventual disaster.

Government has tried to do too much in areas beyond its competency in seeking to compel social change.

In all of the excessive attention that has been paid to appeasing a small but militant minority of our people, the average American citizen has somehow come to be the forgotten man.

I believe that your ancestors and mine—those persons of whom I spoke at the beginning of these remarks—were probably the people that the American sociologist and educator William Graham Sumner was thinking of in the 1880's when he wrote these lines:

"The Forgotten man . . . delving away in patient industry, supporting his family, paying his taxes, casting his vote, supporting the church and the school . . . he is the only one for whom there is no provision in the great scramble and in the big divide.

"Such is the Forgotten Man. He works, he votes, generally he prays—but his chief business in life is to pay . . .

"Who and where is the Forgotten Man in this case, who will have to pay for it all?"

The answer to the question is obvious. The Forgotten Man is the great majority—they who pay their way, who ask nothing from their government but the opportunity to work and raise their families and be good citizens in an orderly and lawful society.

All of our ancestors, as I said at the beginning, came from somewhere other than the place we meet tonight. America's great majority is made up of many former minorities. They are not minorities any-

more. The interwoven strands of the fabric of our land have become inseparable.

The progeny of those early immigrants are now the majority. Let us, then, as we look to the future of our republic, resolve that we will act within our own spheres of influence in accordance with the great traditions that have come down to us from many cultures and many climes. The legacy of strength and stability, of resourcefulness and industry, which we have inherited from our old world ancestry and in which we take such pride, can help us restore America to the bright promise it was meant to be.

Our Republic, conceived in liberty and purchased with blood, can be preserved only by constant vigilance.

May we guard it as our children's richest legacy, for what shall it profit our nation if it shall gain the whole world and lose "the spirit that prizes liberty," law and order, and constitutional government as the heritage of all men in all the land.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

#### POTATO RESEARCH AND PROMOTION ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. Calendar No. 412, a bill (S. 1181) to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its consideration.

#### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, to give the bells a chance to do their job, I shall postpone for a moment the request I am about to make, so that Senators will have plenty of time to come to the Chamber, and will not be confused by a succession of seven or eight bells.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AUTHORIZATION FOR STAR PRINT OF S. 2264 TO DESIGNATE ADDITIONAL COSPONSOR

Mr. MANSFIELD. Mr. President, yesterday when the communicable disease

control bill (S. 2264) was reported from the Committee on Labor and Public Welfare, inadvertently the name of the distinguished Senator from Massachusetts (Mr. KENNEDY), a principal supporter of that legislative proposal, did not appear on the printed version of the bill. Therefore, I ask unanimous consent that there be a star print of the bill (S. 2264), indicating Senator KENNEDY's cosponsorship.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHURCH in the chair). Without objection, it is so ordered.

#### ORDER FOR RECOGNITION OF SENATOR STENNIS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the pending measure and the one which will follow it, the distinguished Senator from Mississippi (Mr. STENNIS) be recognized for not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT TO MONDAY, OCTOBER 20, 1969

Mr. MANSFIELD. Mr. President, on the supposition and the hope and the prayer that we can finish the two potato bills this afternoon, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. If, however, we do not finish the potato bills this afternoon, I will have to make a change in that request.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, with the understanding that the recess not extend beyond 1:30 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon (at 1 o'clock and 10 min-

utes p.m.), the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 1:16 p.m., when called to order by the Presiding Officer (Mr. Byrd of West Virginia in the chair).

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed the joint resolution (S.J. Res. 158) to authorize the minting of clad silver dollars bearing the likeness of the late President of the United States, Dwight David Eisenhower, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 13000) to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes, in which it requested the concurrence of the Senate.

#### HOUSE BILL REFERRED

The bill (H.R. 13000) to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes, was read twice by its title and referred to the Committee on Post Office and Civil Service.

#### POTATO RESEARCH AND PROMOTION ACT

The Senate resumed the consideration of the bill (S. 1181) to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer.

The PRESIDING OFFICER. The Chair recognizes the Senator from Florida.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. Mr. President, what is the pending business?

The PRESIDING OFFICER (Mr. CHURCH in the chair). The pending business is S. 1181, a bill to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer.

Mr. HOLLAND. I thank the Presiding Officer.

Mr. President, the purpose of title I of S. 1181 is to permit potato growers to finance a nationally coordinated research and promotion program. Title II of the

bill would add tomatoes to the list of commodities for which paid advertising can be provided under marketing orders.

Title I of the bill provides for authority to establish a plan to collect assessments on potatoes produced in the 48 contiguous States of the United States. Producers with less than 5 acres will be exempt from assessments. The assessments will be used for promotion of potatoes including paid advertising. In addition, assessments can be used for research and development projects. The costs incurred by the potato industry in administering the program will also be paid from assessments. Prior approval by the Secretary of Agriculture for all projects and expenditures is provided for as a safeguard against improper use of funds.

The bill provides for a maximum assessment rate of 1 cent per hundredweight. Handlers are responsible for payment of the assessments, and they may deduct them from their settlement with the producers. Producers will be able to obtain a refund on the assessments paid by them, if they request it in the time and manner prescribed. The bill provides that hearings with respect to a proposed plan be held when requested by potato producers. A favorable referendum vote, by two-thirds of the potato producers voting in such referendum, or two-thirds of their production and not less than a majority of those voting, is required to approve any plan issued pursuant to this bill. If such a plan is favored by producers, a board will be appointed by the Secretary of Agriculture from industry nominations of eligible producers. Such board will administer the plan under the supervision of the Secretary of Agriculture.

Provisions in this bill are similar to those in a bill enacted by the 89th Congress, and cited as the Cotton Research and Promotion Act. Promulgation and referendum proceedings for any "plan" issued pursuant to this bill are similar to those in marketing orders authorized by the Agricultural Marketing Agreement Act of 1937, as amended. Administrative provisions are also similar to those in marketing orders. There are no provisions for quality control or compulsory inspection in this bill.

Several potato producing areas have State orders or commissions to promote potatoes produced in their specific areas. This bill is intended to supplement these existing programs with a nationally coordinated program.

Title II of the bill authorizes paid advertising for tomatoes under marketing orders. At present such advertising is authorized for cherries, carrots, citrus fruits, onions, Tokay grapes, fresh pears, dates, plums, nectarines, celery, sweet corn, limes, olives, pecans, and avocados.

Mr. President, title II would merely add tomatoes to that list so that marketing orders covering tomatoes could, if those affected so desired, cover paid advertising assessments, as well as their other assessments.

Mr. President, I note in the Chamber the distinguished leading sponsor of the bill, the Senator from North Dakota (Mr. Young). He may have a statement and

I shall be glad to yield to him for that purpose, if he wishes.

Mr. YOUNG of North Dakota. Will the Senator yield for a short statement?

Mr. HOLLAND. I am glad to yield.

Mr. YOUNG of North Dakota. I made a statement explaining the bill at some length yesterday when it was called up.

This bill is sponsored by practically all the Senators from the principal potato-producing areas. There is great need for this legislation.

There are only about one-half as many potato producers in this country as there were 10 years ago. Producing potatoes presents a greater risk than any other kind of farming. There are no price supports for potatoes, but through self-help programs, such as the one authorized by the pending bill, producers are attempting to improve their product and promote increased consumption of potatoes. It could go a long way toward increasing the sale of potatoes and keeping the potato farmers from going broke.

Mr. President, there are many misunderstandings about potatoes as a food. For example, many people think that potatoes are a fattening food high in calories. The fact is, the potato is not a high-calorie food. This is the sort of thing that the potato producers hope to bring before the public by intelligent advertising. This will help the sale of potatoes.

Mr. MONDALE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am happy to yield to the Senator from Minnesota who is one of the cosponsors of the bill.

Mr. MONDALE. First, I wish to thank the distinguished Senator from Florida for his excellent work on this bill. As chairman of the subcommittee, I know that he has held extensive hearings and heard from all of us who are most concerned about this legislation. He has brought a bill to the floor of the Senate today which is, I believe, in excellent condition.

The distinguished Senator from North Dakota (Mr. Young) and I represent neighboring States which have an important potato industry. Indeed the Minnesota Valley Growers Association, which supports this measure, is the largest grower organization in my State. It is an industry that involves nearly \$17 million worth of income to the farmers in my State alone.

This is a long overdue measure which will permit them to deal with some of the problems which the Senator from North Dakota (Mr. Young) has already made reference.

Under this act, the people of my State would be able to supply a better product to the consumer. They could develop new and better methods of handling the product. New products from potatoes could be developed.

Last, but not least, the true story about potatoes can be presented to the consumer.

This does not carry any price tag. The farmers themselves contribute to the fund. I believe I am correct in saying that any farmer who wishes can have his money returned so that any farmer that



does not wish to participate in this program can do so.

This is long overdue legislation, and I compliment the Senator from Florida for his leadership in this field.

Mr. HOLLAND. I thank my distinguished friend. It has been a pleasure to conduct the hearings and to handle this matter in the full committee and the subcommittee. I am glad that we have finally been able to get it to the floor of the Senate.

Mr. MUSKIE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am particularly glad to yield to the distinguished Senator from Maine. I am happy that we have been able to get this bill to the floor and to see my good friend from Maine here today.

Mr. MUSKIE. I thank the Senator from Florida. Let me say how very much I appreciate the courtesy which the distinguished Senator from Florida has shown to me all week in holding this bill for consideration until today. Any delay that I have caused was inadvertent and certainly not intended, but the Senator from Florida with his usual courtesy and cooperation, nevertheless, has been of great assistance to me. I compliment him on bringing this bill to the floor.

Mr. President, today we are going to vote on two bills that will have a profound effect on the producers of potatoes.

The first, S. 1181, will enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their market for potatoes and potato products. The general public does not fully appreciate the nutritional value of the potato, and in fact has serious misconceptions about the role of the potato in the American diet. This legislation will provide an opportunity for potato growers to improve the quality of their product and improve consumer acceptance of potatoes.

The bill provides for authority to establish a "plan" to collect assessments on potatoes produced in the 48 contiguous States of the United States. Producers with less than 5 acres will be exempt from assessments. The assessments will be used for promotion of potatoes including paid advertising. In addition, assessment can be used for research and development projects. The costs incurred by the potato industry in administering the program will also be paid from assessments.

The potato producers have been confronted, in recent years, with increased competition from other products marketed as easily prepared convenience foods. Some of these products are promoted on a national basis. Potato producers have not been able effectively to match this competition because production and marketing of potatoes is performed by numerous individual farmers in every State in the United States. This has made it difficult for them to finance and carry out adequate research and promotion projects to maintain a competitive position in the markets. This bill would give potato producers authority to

help themselves by financing such projects.

Not only will S. 1181 benefit the potato grower but the kinds of programs envisioned would also work toward improved marketing and merchandising to the benefit of the American consumer.

S. 1181 is supported by all segments of the potato industry.

I urge the Senate to vote for passage of the bill.

Mr. President, I am happy, of course, to support the bill, and to again compliment the distinguished Senator from Florida (Mr. HOLLAND) and the distinguished Senator from North Dakota (Mr. YOUNG), for sponsoring and bringing the bill to the floor of the Senate.

Mr. HOLLAND. I thank my distinguished friend from Maine. Before I yield to the Senator from Idaho (Mr. JORDAN), there are two things about this bill that I wish to mention at this time.

First, this is the first effort of the national potato growers organization in which the potato growers of the State of Florida have been willing to join. Thus, it must have merit beyond all the efforts heretofore of the National Potato Council.

Second, if it becomes effective and is followed by a marketing order as proposed, this bill will be the first effort in the field of perishable commodities to set up a national advertising, sales promotion, and research program; and I am sure, we will all be watching with a great deal of interest.

I thank the Senator from Maine for his comments and I am glad now to yield to the Senator from Idaho (Mr. JORDAN).

Mr. JORDAN of Idaho. Mr. President, I thank my distinguished colleague from Florida. I commend him and the Senator from North Dakota (Mr. YOUNG) for bringing to the floor this fine piece of legislation. I am pleased to be a cosponsor of the bill. I believe it will do a tremendous amount of good for the potato-producing industry.

I believe it is well known that Idaho's fertile acres produce about one-fifth the total U.S. potato crop. The State now harvests about 300,000 acres of high-quality potatoes, which, in an average year, yield about 64 million hundred-weight. Potato acreage in Idaho has doubled since the mid-1950's.

In achieving this leadership in potato production, the State of Idaho has demonstrated the value of promotion. It is not enough merely to grow the finest potatoes in the world; they must be promoted and sold.

To this end, the State of Idaho has established the Idaho Potato and Onion Commission which has done an excellent job in promoting the use of Idaho potatoes nationally and internationally. To support this program, Idaho growers and processors pay 2½ cents per hundred-weight for promotion and research, an assessment higher than the rate applied in any other potato-producing State. This industry financed promotional program has helped make Idaho potatoes synonymous with potatoes of the highest quality. Moreover, the growers who pay

the bill are enthusiastic about the program and a representative of the 4,400 Idaho growers supported this legislation in committee hearings. The State's promotional program not only has aided producers in the State but also has aided the entire potato industry, the congressional committees were told by Idaho potato grower Clarence Parr, of Burley.

The efforts of such local and State promotion programs will be supplemented and coordinated nationally by this legislation. This would be done by authorizing the growers to establish a National Potato Promotion Board, and to operate a grower-financed promotion and research program. This program would be similar to that provided under the Cotton Research and Promotion Act of 1966.

Assessments on growers would be limited to a maximum of 1 cent per hundred pounds of potatoes handled. Potatoes grown by producers with less than 5 acres of potatoes would be exempt from assessment, which means that the program would be financed by about 17,000 of the 310,000 potato producers in the United States.

Promotion plans would have to be approved by the Secretary of Agriculture after public hearings and then ratified by at least two-thirds of the growers under a referendum to be conducted by the Secretary. Furthermore, any grower not in sympathy with a plan adopted could apply for and receive a refund of assessments paid. I am informed that refunds under the cotton promotion program have been less than 5 percent.

Potatoes are one of our most important crops, bringing into the farm economy an average of about \$561 million a year in sales revenues. However, the per capita consumption of potatoes has declined during the last 30 years from 122 pounds to 110 pounds per person, and potatoes have been meeting increased competition from other products marketed as easily prepared convenience foods. These factors, coupled with more efficient production techniques, have contributed to crop surpluses and resulting surplus removal programs in most crop years since 1953.

It is hoped that this national marketing and research program, in concert with program on the State level, will help correct the imbalance between supply and demand for potatoes and improve returns to producers.

On behalf of the potato growers of Idaho, who have supported this legislation by formal resolution, I urge its passage.

Mr. HOLLAND. Mr. President, I thank the Senator from Idaho.

Mr. YOUNG of North Dakota. Mr. President, the Senator from California (Mr. MURPHY), a cosponsor and strong supporter of S. 1181, is necessarily absent today. The Senator, however, had prepared a statement which he planned to make on this measure. I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the statement by Senator MURPHY was ordered to be printed in the RECORD, as follows:

## STATEMENT OF SENATOR MURPHY

As a co-author of S. 1181, the potato marketing bill, I support the measure and urge its speedy enactment by Congress.

I wish to thank the distinguished Senator from Florida, (Mr. HOLLAND) and the distinguished Senator from North Dakota (Mr. YOUNG) for their efforts and work in guiding the bill through the Committee on Agriculture and Forestry. This is a most important bill for California, as my State is the third largest potato producing State in the country. Kern County, which is ably represented in Congress by Representative Bob Mathias, produces fifty per cent of the potatoes in my State and is the second largest potato-producing county in the country. I am also deeply grateful for the help given me by both Representative Mathias and Mr. Don M. Johnston, of Bakersfield, California.

The bill, S. 1181, is similar to the Cotton Research and Promotion Act enacted by Congress in 1966, which I also supported. The bill would provide a mechanism through which potato producers may conduct a much-needed national research and promotion program for potatoes.

The per capita consumption of potatoes has been steadily decreasing for many years. In order to reverse this trend and expand potato markets, a program of research, development, advertising, and promotion is essential. The reason for this decline in consumption has been the increased competition from other often easily prepared convenience foods. The potato producers have not been able to meet this competition because the production and marketing of potatoes in the country is done by many individual farmers in every State. As a result, it has been difficult for the potato industry to launch an adequate research and promotion effort to maintain their competitive position in the market place.

In 1966, the National Potato Council established a voluntary nationwide promotion program with a goal of \$75,000 for 1967. Despite the depressed market that existed in 1967, the voluntary program was successful as the program exceeded their national goal of \$75,000.

This voluntary program has helped to demonstrate the value of research and promotion. It has also demonstrated that if the program were really going to be successful, it would have to be much larger in magnitude. This, then, is the background for the potato research and promotion measure that is before the Senate today. I want to emphasize that this is a self-help program. The taxpayers of the country are not being asked to foot the bill, nor should they, for this research and promotion program.

Under the bill, the research and promotion activities authorized by the measures would be financed by the producers themselves through an assessment of not more than one cent per 100 pounds of potatoes produced commercially in the 48 contiguous states. At the maximum assessment rate, it is my understanding that approximately \$2 million annually would be available for the research and promotion program. The program would not only be producer-financed, but producer-controlled. The research and promotion activities will be administered by the National Potato Promotion Board, composed of representatives of the growers selected by the Secretary of Agriculture from nominations made by the producers. Also, I want to emphasize strongly that the participation in the program would be voluntary on the part of the various growers. Under the bill, every producer or grower can, upon request, receive a complete refund of the assessment made.

In short, the measure would establish a badly needed research and promotion program for potato growers. I urge its enactment.

## POTATO PROMOTION—IT WORKS FOR IDAHO

Mr. CHURCH. Mr. President, today the Senate is to act on S. 1181, the Potato Research and Promotion Act. This legislation, of which I am a cosponsor, would enable the potato industry to finance a nationally coordinated research and promotion effort, and through its own resources and ingenuity, to build strong markets and preserve its position in our Nation's agricultural economy.

There is no doubt in my mind that a promotion program, properly organized and effectively run, can increase the demand for the potato as a consumer item, with a resultant increase in income to the farmer and the potato industry as a whole. One only need look to my State of Idaho for a fine example of what can be done when an outstanding product is properly marketed. Idaho has actively promoted its high-quality potatoes for many years, and today the Idaho potato is sought by housewives throughout the country who want the very best.

This bill gives the potato industry the wherewithal to promote its product. It will aid both the large and the small production State by educating the consumer to the part that the potato should properly play in his diet. It will aid the consumer, since the research programs made possible under the act will result in more and better potato products.

The use of sound marketing practices in the distribution and sale of our agricultural commodities is a must. Passage of the Potato Promotion Act will be a step in that direction.

Mr. HOLLAND. Mr. President, before a vote is taken, lest there be a misunderstanding, I want to make sure it is understood that title II affects tomatoes and differs from title I in that it does not contemplate a nationwide promotion program, for tomatoes produced in all areas, and also in that there is no provision for refund. It simply permits tomato growers in any area where there is a marketing order to add provision for advertising and promotion to such marketing order if in their judgment and in the discretion of the Secretary of Agriculture it is decided that that is advisable in their case.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc. I know of no opposition.

The PRESIDING OFFICER. Without objection, the committee amendments are considered en bloc; and, without objection, they are agreed to.

The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. HOLLAND. Mr. President, the Senator from North Dakota (Mr. YOUNG) has just reminded me that there was an intention on the part of one of the Senators from Alaska to investigate the

question of whether Alaska and Hawaii should be included in the program and added to the 48 contiguous States to which the potato amendment applies. If the Senator from Alaska wishes to offer that amendment, or some other Senator wishes to offer it for him, I would have no objection to it. I would yield to the sponsors and authors of the bill on that matter.

Mr. YOUNG of North Dakota. Mr. President, I think it is a good amendment. It would affect only the people of Alaska and Hawaii. I think they should be permitted to come into the program.

I would like to offer the amendment.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the engrossment and third reading of the bill be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments offered by the Senator from North Dakota will be stated.

The assistant legislative clerk read the amendments as follows:

On page 3, lines 16 and 17, strike out the words "forty-eight contiguous States of the".

On page 5, line 1, strike out the words "forty-eight contiguous States of the".

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1181) was passed, as follows:

## S. 1181

An act to provide for potato and tomato promotion programs

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## TITLE I—POTATO RESEARCH AND PROMOTION

This title may be cited as the "Potato Research and Promotion Act".

## FINDINGS AND DECLARATION OF POLICY

SEC. 2. Potatoes are a basic food in the United States. They are produced by many individual potato growers in every State in the United States. In 1966, there were one million four hundred and ninety-seven thousand acres of cropland in the United States devoted to the production of potatoes. Approximately two hundred and seventy-five million hundredweight of potatoes have been produced annually during the past five years with an estimated sales value to the potato producers of \$561,000,000.

Potatoes and potato products move, in a large part, in the channels of interstate commerce, and potatoes which do not move in such channels directly burden or affect interstate commerce in potatoes and potato products. All potatoes produced in the United States are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in potatoes and potato products.

The maintenance and expansion of existing potato markets and the development of new or improved markets are vital to the



welfare of potato growers and those concerned with marketing, using, and processing potatoes as well as the general economic welfare of the Nation.

Therefore, it is the declared policy of the Congress and the purpose of this title that it is essential in the public interest, through the exercise of the powers provided herein, to authorize the establishment of an orderly procedure for the financing, through adequate assessments on all potatoes harvested in the United States for commercial use, and the carrying out of an effective and continuous coordinated program of research, development, advertising and promotion designed to strengthen potatoes' competitive position, and to maintain and expand domestic and foreign markets for potatoes produced in the United States.

#### DEFINITIONS

SEC. 3. As used in this title

(a) The term "Secretary" means the Secretary of Agriculture.

(b) The term "person" means any individual, partnership, corporation, association, or other entity.

(c) The term "potatoes" means all varieties of Irish potatoes grown by producers in the United States.

(d) The term "handler" means any person (except a common or contract carrier of potatoes owned by another person) who handles potatoes in a manner specified in a plan issued pursuant to this title or in the rules and regulations issued thereunder.

(e) The term "produced" means any person engaged in the growing of five or more acres of potatoes.

(f) The term "promotion" means any action taken by the National Potato Promotion Board, pursuant to this title, to present a favorable image for potatoes to the public with the express intent of improving their competitive positions and stimulating sales of potatoes and shall include, but shall not be limited to, paid advertising.

#### AUTHORITY TO ISSUE A PLAN

SEC. 4. To effectuate the declared policy of this title, the Secretary shall subject to the provisions of this title, issue and from time to time amend, orders applicable to persons engaged in the handling of potatoes (hereinafter referred to as handlers) and shall have authority to issue orders authorizing the collection of assessments on potatoes handled under the provisions of this title, and to authorize the use of such funds to provide research, development, advertising, and promotion of potatoes in a manner prescribed in this title. Any order issued by the Secretary under this title shall hereinafter in this title be referred to as a "plan". Any such plan shall be applicable to potatoes produced in the United States.

#### NOTICE AND HEARING

SEC. 5. When sufficient evidence is presented to the Secretary by potato producers, or whenever the Secretary has reason to believe that a plan will tend to effectuate the declared policy of this title, he shall give due notice and opportunity for a hearing upon a proposed plan. Such hearing may be requested by potato producers or by any other interested person or persons, including the Secretary, when the request for such hearing is accompanied by a proposal for a plan.

#### FINDING AND ISSUANCE OF A PLAN

SEC. 6. After notice and opportunity for hearing, the Secretary shall issue a plan if he finds, and sets forth in such plan, upon the evidence introduced at such hearing, that the issuance of such plan and all the terms and conditions thereof will tend to effectuate the declared policy of this title.

#### REGULATIONS

SEC. 7. The Secretary is authorized to make such regulations with the force and effect

of law, as may be necessary to carry out the provisions of this title and the powers vested in him by this title.

#### REQUIRED TERMS IN PLANS

SEC. 8. Any plan issued pursuant to this title shall contain the following terms and conditions:

(a) Providing for the establishment by the Secretary of a National Potato Promotion Board (hereinafter referred to as "the board") and for defining its powers and duties, which shall include powers—

(1) to administer such plan in accordance with its terms and conditions;

(2) to make rules and regulations to effectuate the terms and conditions of such plan;

(3) to receive, investigate, and report to the Secretary complaints of violations of such plan; and

(4) to recommend to the Secretary amendments to such plan.

(b) Providing that the board shall be composed of representatives of producers selected by the Secretary from nominations made by producers in such manner as may be prescribed by the Secretary. In the event producers fail to select nominees for appointment to the board, the Secretary shall appoint producers on the basis of representation provided for in such plan.

(c) Providing that board members shall serve without compensation, but shall be reimbursed for reasonable expenses incurred in performing their duties as members of the board.

(d) Providing that the board shall prepare and submit to the Secretary for his approval a budget, on a fiscal period basis, of its anticipated expenses and disbursements in the administration of the plan, including probable costs of research, development, advertising, and promotion.

(e) Providing that the board shall recommend to the Secretary and the Secretary shall fix the assessment rate required for such costs as may be incurred pursuant to subsection (d) of this section; but in no event shall the assessment rate exceed 1 cent per one hundred pounds of potatoes handled.

(f) Providing that—

(1) funds collected by the board shall be used for research, development, advertising, or promotion of potatoes and potato products and such other expenses for the administration, maintenance, and functioning of the board as may be authorized by the Secretary;

(2) no advertising or sales promotion program shall make any reference to private brand names or use false or unwarranted claims in behalf of potatoes or their products or false or unwarranted statements with respect to the attributes or use of any competing products; and

(3) no funds collected by the board shall in any manner be used for the purpose of influencing governmental policy or action, except as provided by subsection (a) (4) of this section.

(g) Providing that, notwithstanding any other provisions of this title, any potato producer against whose potatoes any assessment is made and collected under authority of this title and who is not in favor of supporting the research and promotion program as provided for under this title shall have the right to demand and receive from the board a refund of such assessment: Provided, That such demand shall be made personally by such producer in accordance with regulations and on a form and within a time period prescribed by the board and approved by the Secretary, but in no event less than ninety days, and upon submission of proof satisfactory to the board that the producer paid the assessment for which refund is sought, and any such refund shall be made within sixty days after demand therefor.

(h) Providing that the board shall, subject to the provisions of subsections (e) and

(f) of this section, develop and submit to the Secretary for his approval any research, development, advertising or promotion programs or projects, and that any such program or project must be approved by the Secretary before becoming effective.

(i) Providing the board with authority to enter into contracts or agreements, with the approval of the Secretary, for the development and carrying out of research, development, advertising or promotion programs or projects, and the payment of the cost thereof with funds collected pursuant to this title.

(j) Providing that the board shall maintain books and records and prepare and submit to the Secretary such reports from time to time as may be prescribed for approximate accounting with respect to the receipt and disbursement of funds entrusted to it and cause a complete audit report to be submitted to the Secretary at the end of each fiscal period.

#### PERMISSIVE TERMS IN PLANS

SEC. 9. Any plan issued pursuant to this title may contain one or more of the following terms and conditions:

(a) Providing authority to exempt from the provisions of the plan potatoes used for nonfood uses, and authority for the board to require satisfactory safeguards against improper use of such exemptions.

(b) Providing for authority to designate different handler payment and reporting schedules to recognize differences in marketing practices and procedures utilized in different production areas.

(c) Providing for the establishment, issuance, effectuation, and administration of appropriate programs or projects for the advertising and sales promotion of potatoes and potato products and for the disbursement of necessary funds for such purposes: *Provided, however,* That any such program or project shall be directed toward increasing the general demand for potatoes and potato products: *And provided further,* That such promotional activities shall comply with the provisions of section 8(f) of this title.

(d) Providing for establishing and carrying on research and development projects and studies to the end that the marketing and utilization of potatoes may be encouraged, expanded, improved, or made more efficient, and for the disbursement of necessary funds for such purposes.

(e) Providing for authority to accumulate reserve funds from assessments collected pursuant to this title, to permit an effective and continuous coordinated program of research, development, advertising and promotion in years when the production and assessment income may be reduced: *Provided,* That the total reserve fund does not exceed the amount budgeted for two years' operation.

(f) Providing for authority to use funds collected herein, with the approval of the Secretary, for the development and expansion of potato and potato product sales in foreign markets.

(g) Terms and conditions incidental to and not inconsistent with the terms and conditions specified in this title and necessary to effectuate the other provisions of such plan.

#### ASSESSMENT

SEC. 10. (a) Each handler designated by the board, pursuant to regulations issued under the plan, to make payment of assessments shall be responsible for payment to the board, as it may direct, of any assessment levied on potatoes; and such handler may collect from any producer or deduct from the proceeds paid to any producer, on whose potatoes such assessment is made, and such assessment required to be paid by such handler. Such handler shall maintain a separate record with respect to each producer for whom potatoes were handled, and such records shall indicate the total quantity of potatoes handled by him including those

handled for producers and for himself, shall indicate the total quantity of potatoes handled by him which are included under the terms of a plan as well as those which are exempt under such plan, and shall indicate such other information as may be prescribed by the board. To facilitate the collection and payment of such assessments, the board may designate different handlers or classes of handlers to recognize difference in marketing practices or procedures utilized in any State or area. No more than one such assessment shall be made on any potatoes.

(b) Handlers responsible for collection of assessments under subsection (a) of this section shall maintain and make available for inspection by the Secretary such books and records as required by the plan and file reports at the times, in the manner, and having the content prescribed by the plan, to the end that information and data shall be made available to the board and to the Secretary which is appropriate or necessary to the effectuation, administration, or enforcement of this title or of any plan or regulation issued pursuant to this title.

(c) All information obtained pursuant to subsections (a) and (b) of this section shall be kept confidential by all officers and employees of the Department of Agriculture and of the board, and only such information so furnished or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing brought at the direction, or upon the request, of the Secretary, or to which he or any officer of the United States is a party, and involving the plan with reference to which the information to be disclosed was furnished or acquired. Nothing in this section shall be deemed to prohibit—

(1) the issuance of general statements based upon the reports of a number of handlers subject to a plan if such statements do not identify the information furnished by any person, or

(2) the publication by direction of the Secretary of the name of any person violating any plan together with a statement of the particular provisions of the plan violated by such person.

Any such officer or employee violating the provisions of this subsection shall upon conviction be subject to a fine of not more than \$1,000 or imprisonment for not more than one year, or both, and shall be removed from office.

#### PETITION AND REVIEW

SEC. 11. (a) Any person subject to a plan may file a written petition with the Secretary, stating that such plan or any provision of such plan or any obligation imposed in connection therewith is not in accordance with law and praying for a modification thereof or to be exempted therefrom. He shall thereupon be given an opportunity for a hearing upon such petition, in accordance with regulations made by the Secretary. After such hearing, the Secretary shall make a ruling upon the prayer of such petition which shall be final, if in accordance with law.

(b) The district courts of the United States in any district in which such person is an inhabitant, or has his principal place of business, are hereby vested with jurisdiction to review such ruling: *Provided*, That a complaint for that purpose is filed within twenty days from the date of the entry of such ruling. Service of process in such proceedings may be had upon the Secretary by delivering to him a copy of the complaint. If the court determines that such ruling is not in accordance with law, it shall remand such proceedings to the Secretary with directions either (1) to make such ruling as the court shall determine to be in accordance with law, or (2) to take such further proceedings as, in its opinion, the law requires. The pendency of proceedings instituted pur-

suant to subsection (a) of this section shall not impede, hinder, or delay the United States or the Secretary from obtaining relief pursuant to section 12(a) of this title.

#### ENFORCEMENT

SEC. 12. (a) The several district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating any plan or regulation made or issued pursuant to this title.

(b) Any handler who violates any provisions of any plan issued by the Secretary under this title, or who fails or refuses to remit any assessment or fee duly required of him thereunder shall be subject to criminal prosecution and shall be fined not less than \$100 or more than \$1,000 for each such offense.

#### INVESTIGATION AND POWER TO SUBPENA

SEC. 13. (a) The Secretary may make such investigations as he deems necessary for the effective carrying out of his responsibilities under this title or to determine whether a handler or any other person has engaged or is engaging in any acts or practices which constitute a violation of any provision of this title, or of any plan, or rule or regulation issued under this title. For the purpose of any such investigation, the Secretary is empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, and documents which are relevant to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States. In case of contumacy by, or refusal to obey a subpoena issued to, any person, including a handler, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, and documents; and such court may issue an order requiring such person to appear before the Secretary, there to produce records, if so ordered, or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. The site of any hearings held under this section shall be within the judicial district where such handler or other person is an inhabitant or has his principal place of business.

(b) No person shall be excused from attending and testifying or from producing books, papers, and documents before the Secretary, or in obedience to the subpoena of the Secretary, or in any cause or proceeding, criminal or otherwise, based upon, or growing out of any alleged violation of this title, or of any plan, or rule or regulation issued thereunder on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that any individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

#### REQUIREMENT OF REFERENDUM

SEC. 14. The Secretary shall conduct a referendum among producers who, during a representative period determined by the Sec-

retary, have been engaged in the production of potatoes for the purpose of ascertaining whether the issuance of a plan is approved or favored by producers. No plan issued pursuant to this title shall be effective unless the Secretary determines that the issuance of such plan is approved or favored by not less than two-thirds of the producers voting in such referendum, or by the producers of not less than two-thirds of the potatoes produced during the representative period by producers voting in such referendum, and by not less than a majority of the producers voting in such referendum. The ballots and other information or reports which reveal or tend to reveal the vote of any producer or his production of potatoes shall be held strictly confidential and shall not be disclosed. Any officer or employee of the Department of Agriculture violating the provisions hereof shall upon conviction be subject to the penalties provided in paragraph 10(c) above.

#### SUSPENSION OR TERMINATION OF PLANS

SEC. 15. (a) The Secretary shall, whenever he finds that a plan or any provision thereof obstructs or does not tend to effectuate the declared policy of this title terminate or suspend the operation of such plan or such provision thereof.

(b) The Secretary may conduct a referendum at any time and shall hold a referendum on request of the board or of 10 per centum or more of the potato producers to determine if potato producers favor the termination or suspension of the plan, and he shall terminate or suspend such plan at the end of the marketing year whenever he determines that such suspension or termination is favored by a majority of those voting in a referendum, and who produce more than 50 per centum of the volume of the potatoes produced by the potato producers voting in the referendum.

#### AMENDMENT PROCEDURE

SEC. 16. The provisions of this title applicable to plans shall be applicable to amendments to plans.

#### SEPARABILITY

SEC. 17. If any provision of this title or the application thereof to any person or circumstances is held invalid, the validity of the remainder of this title and of the application of such provision to other persons and circumstances shall not be affected thereby.

#### AUTHORIZATION

SEC. 18. There is hereby made available from the funds provided by section 32 of Public Law 320, Seventy-fourth Congress (49 Stat. 774), as amended (7 U.S.C. 612c), such sums as are necessary to carry out the provisions of this title: *Provided*, That no such sum shall be used for the payment of any expenses or expenditures of the board in administering any provision of any plan issued under authority of this title.

#### EFFECTIVE DATE

SEC. 19. This title shall take effect upon enactment:

#### TITLE II—TOMATO ADVERTISING PROJECTS

SEC. 201. Section 8c(6) (I) of the Agricultural Adjustment Act, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is amended by striking out "or avocados" in the proviso, and inserting in lieu thereof "avocados, or tomatoes".

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HOLLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The title was amended, so as to read: "An act to provide for potato and tomato promotion programs."



AMENDMENT OF THE AGRICULTURAL MARKETING AGREEMENT ACT OF 1937, AS AMENDED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 414, S. 2214.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2214) to amend section 608(c) (2) of the Agricultural Marketing Agreement Act of 1937, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported with amendments on page 1, at the beginning of line 3, strike out:

That section 608(c) (2) of the Agricultural Marketing Agreement Act of 1937, as amended, is amended as follows:

And insert:

That section 8c(2) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation is amended as follows:

In line 9, after the word "In", strike out "subparagraph" and insert "clause"; on page 2, line 3, after the word "In", strike out "subparagraph" and insert "clause"; and after line 6, insert a new section, as follows:

SEC. 2. The amendments made by this Act shall be effective only during the period beginning with the date of enactment of this Act and ending two years after such date.

So as to make the bill read:

S. 2214

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8c(2) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, is amended as follows:

(1) In clause (A) after the words "vegetables (not including vegetables, other than asparagus, for canning or freezing)", insert the words "and not including potatoes for canning, freezing, or other processing"; and

(2) In clause (B) after the words "fruits and vegetables for canning or freezing," insert the words "including potatoes for canning, freezing, or other processing".

SEC. 2. The amendments made by this Act shall be effective only during the period beginning with the date of enactment of this Act and ending two years after such date.

Mr. HOLLAND. Mr. President, this bill, reported from the Senate Committee on Agriculture and Forestry, has some amendments, but I will first discuss the purpose of the bill.

The purpose of the bill now before the Senate, S. 2214, is simply to place potatoes for other processing—such as dehydration—into other potato products on an equal basis with potatoes for canning and freezing which are now exempt under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended.

In other words, the Marketing Agreement Act now already exempts potatoes for canning and freezing from coverage

in any marketing order issued by the Department of Agriculture.

I might add that the term "other processing" is intended to include only that preparation of potatoes for market which involves the application of heat or cold to such an extent that the natural form or stability of the commodity undergoes a substantial change. This occurs in dehydration and in the manufacture of shoestring potatoes and potato chips. The act of peeling, cooling, slicing, or dicing, or the application of material to prevent oxidation does not constitute "other processing."

The committee's Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices held hearings on the bill. Some producer groups opposed the bill, while processors generally approved it.

The subcommittee and the committee felt that consistency in the treatment of potatoes was necessary. However, in order to provide protection to producers, the exemption carried by the bill is limited to a 2-year period.

The Department of Agriculture favored inclusion of all potatoes under marketing order authority, or exclusion of all potatoes for processing. Inclusion of some and exclusion of others creates competitive disadvantages. Inasmuch as potato products are in competition with each other in the national market, this bill would result in uniform treatment of potatoes for processing regardless of the final use made of the product.

The Department also reported that the use of potatoes for food processing has increased sharply during the past decade. Only 14 percent of 1956-crop potatoes used for food were processed. In 1967 about 42 percent were processed. Utilization for freezing was the most important in terms of volume, but large quantities were used for canning, potato chips, shoestrings, and dehydration. Dehydrated potato processing increased sixfold during the 1956 to 1967 period, while the use of potatoes for chipping and shoestring potatoes more than doubled. Continued expansion of sales to all food processing outlets is expected in coming years.

Mr. President, there was some difference of opinion in the committee. Some of us would have preferred to put all potatoes destined for processing within reach of the potato producers, within their marketing orders, if they chose to cover potatoes used for processing. Others favored the method used in this bill; that is, to exclude all potatoes used for processing by which the natural form of the potatoes changes, from coverage of the marketing agreement and order.

The final settlement made by the committee was to permit this to be done as provided by the bill for a period of 2 years, to see whether or not the experiment of excluding all processed potatoes from the coverage of marketing orders would be satisfactory in general to the producers, who, after all, would be the ones most interested in marketing orders, as they are the only ones who can initiate such orders.

The bill as reported does just that. It

would exclude all potatoes for processing from marketing orders, but only for a trial period of 2 years, so as to see how this program would work out.

Mr. President, these are all the comments that I have. If other Senators would like to be heard on the bill, I shall be happy to yield. Otherwise, I ask that the amendments be considered.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. HOLLAND. I am happy to yield to the Senator from Nebraska.

Mr. CURTIS. The bill now before us, S. 2214, was the bill in connection with which the hearings were centered on a locality in northern California and in Idaho and some of the adjacent States; was it not?

Mr. HOLLAND. Yes. This was the bill in which certain processors who used potatoes grown in northern California and Oregon felt that they were being discriminated against under a regional marketing order applicable only to that area, and they asked to be put in the same position as other processors using other potatoes from that area who were excluded from the coverage of the marketing order.

As I have already stated, the committee was not of one mind about this, but finally decided to give the program, as provided by the bill a 2-year period of trial, to see how it would work out.

Mr. CURTIS. My recollection is that the testimony that the committee received was somewhat divided, that one group of growers favored the legislation and another group did not.

I commend the distinguished Senator from Florida for the way he has handled the bill. I believe it was the junior Senator from Nebraska who suggested we might try it for 2 years, to see how it worked out, in fairness to all parties; and I am delighted that that was the way the bill was presented here.

Mr. HOLLAND. I thank my distinguished friend for that comment, and I am glad to say he is correct in his recollection; he was the one who suggested this compromise, which was finally accepted by all members of the committee, and we are all willing to see this program tried out for 2 years, as I recall the vote of the committee.

Mr. MUSKIE. Mr. President, S. 2214 is a bill to amend section 608(c) (2) of the Agricultural Marketing Agreement Act of 1937. Briefly, this bill exempts all potatoes used for processing from Federal marketing orders.

Federal marketing order legislation has played an important role in the orderly marketing of potatoes:

Marketing orders assure the adequate supply of high quality potatoes to the consumer at steady and reasonable prices.

The Federal marketing order has prevented the exploitation of both the consumer and the farmer by the middleman.

Current law exempts from marketing orders those potatoes that are to be processed by canning or freezing. Proponents of S. 2214 argue that processors of other types of potatoes are placed in an unfair competitive position with the canners

and freezers. I recognize this problem, but the solution is not in more exemptions to the marketing order. The solution to achieving equity among processors, while at the same time preserving the benefits of marketing orders for the producers and consumers, is in the removal of all exemptions.

In my own State of Maine the Federal marketing order has been shelved. Many Maine potato producers are pressing for the reinstatement of that order. If more exemptions are granted for processors, it will be virtually impossible to convince the Maine potato growers, who produce for both the fresh and processing markets that the reinstatement of the marketing order is in their best interest.

For the good of the potato producer and the consumer I oppose the passage of S. 2214. At the same time, understanding the inequity faced by a part of the processing industry, I urge that the Agricultural Committee prepare substitute legislation to remove all exemptions from Federal marketing orders.

Mr. YOUNG of North Dakota. Mr. President, the Senator from California (Mr. MURPHY), the principal author of S. 2214, is necessarily absent today. The Senator, however, had prepared a statement which he had planned to make on this measure. I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### STATEMENT OF SENATOR MURPHY

As the author of S. 2214, I urge its passage. The bill would update the Agricultural Marketing Act of 1937. The purpose of the 1937 act was to assist in stabilizing prices of fruits and vegetables in the fresh market at a profitable level. Canning, the only major method of food preservation in 1937, was exempt from the act's provisions. By 1946, freezing had become a common method of food preservation, and Congress updated the Act by expanding the exemption to include fruits and vegetables for freezing.

Today, dehydration has also become a major method of preserving foods, and S. 2214 would place all processors of potatoes—canners, freezers, dehydrators, potato chippers, and shoe string manufacturers—on a fair, equal and competitive basis.

I believe that the bill is in the best interest of the potato industries, both growers and processors, and the workers in the processing plants, as well as of the American consumer.

I support and urge its enactment.

The PRESIDING OFFICER (Mr. HUGHES in the chair). The question is on agreeing to the committee amendments.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to exempt potatoes from processing from marketing orders."

Mr. HOLLAND. Mr. President, I move

to reconsider the vote by which the bill was passed.

Mr. CURTIS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, that concludes the scheduled business of the Senate for today. There will be no further votes.

#### RETIREMENT OF JUSTICES AND JUDGES OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 445, S. 1508. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1508) to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment after line 6, to insert:

(b) The first paragraph of section 373 of title 28, United States Code, is amended by inserting immediately after the last comma therein the following: "or at any age after serving at least twenty years continuously or otherwise."

So as to make the bill read:

S. 1508

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 371(b) of title 28, United States Code, is amended by inserting immediately before the period at the end of the first sentence the following: "or at any age after serving at least twenty years continuously or otherwise."*

(b) The first paragraph of section 373 of title 28, United States Code, is amended by inserting immediately after the last comma therein the following: "or at any age after serving at least twenty years continuously or otherwise."

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALLEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MOSS in the chair). Without objection, it is so ordered.

Pursuant to previous order, the Senator from Mississippi is recognized for a period of 1 hour.

Mr. STENNIS. I thank the chair.

#### PUBLIC SCHOOL EDUCATION

Mr. STENNIS. Mr. President, I wish to make clear in the very beginning

that my concern and my advocacy with respect to the subject I shall talk about today is in the interest of public school education. I shall refer to the problems of our schools in the South and the problems and conditions in the schools of the North, but I am prompted, all the way through, by my advocacy of the survival, in all areas of the Nation, of the public school system. I have never entertained the idea or joined in any movement that would try to establish a private school system in any appreciable area to replace the public schools, because I know that even though the private school has its place and has a good function to a limited degree or in a specific area, and has a good influence throughout the Nation, it is the public school system, I am fully convinced, that is necessary to train and educate the masses of our children.

I wish to make it clear also that I am not seeking or advocating the repeal of the Civil Rights Act of 1964. I know that it is the law, and I said after its passage that it could not be ignored; that it was the law and, of course, would have to be obeyed.

Mr. President, for several years the Department of Health, Education, and Welfare, and the Justice Department, have conducted an intensive campaign to bring about total integration of public schools in the South. Both HEW and the Justice Department have launched a crash program to integrate the races in every school in the South. This drive for all-out integration has been so intense and demanding that the education and welfare of the students and teachers have become secondary. The prime objectives has been all-out integration. My complaint is about the administration and interpretation of that law.

I wish to make it clear that I want every child, and I have always wanted every child, to have every opportunity to obtain adequate schooling and training under just as favorable conditions as can be had. I want faculties and others who are engaged in schoolwork generally to have conditions as favorable and as encouraging as possible.

I know, too, from the experience of the last 2 years, that most of the burdens of the social change that is coming about in our country is dumped in the lap of the public school system, to the extent that it cannot longer carry that load unless there is some moderation in the policy, the practice, and the administration of this Federal law. I am just as certain of that as I am that night follows day. I am certain that something will have to be done about it.

I also feel that this fact is not realized throughout the Nation. It is not realized by enough of the membership of this body, because they have not felt the impact of the imposition of the school program as administered by the Department of Health, Education, and Welfare and the Department of Justice, for it is really not administered in great areas of the country, to any appreciable degree at all, as I shall illustrate.

For several years, the Department of Health, Education, and Welfare and the Justice Department have conducted or



attempted to conduct a campaign to bring about a total integration of the public schools in the South. Both the Department of Health, Education, and Welfare and the Department of Justice have launched a crash program to integrate the races in every school in the South.

This drive for all-out integration has been so intense and so demanding that the education and welfare of the students and teachers have actually become secondary. The prime objective has been all-out integration.

I believe this crash program has been and is a tragic mistake. The students have suffered in their school courses, orientation, and attainments. The teachers have suffered and are unable to make adjustments and effectively carry on under this crash program that demands almost everything now and everything a year from now. The parents have suffered, and the effectiveness and efficiency of the schools have been greatly diminished.

Unhappily, those who are directing this campaign have either failed to recognize, or have deliberately chosen to ignore, the fact that this localized effort against the South overlooks segregated conditions in the North that are as pronounced, and in some instances even more pronounced, than segregation in the South which is actually the sole target of this massive integration program.

If the alleged wrongs that are being so vigorously attacked in the South are, in fact, wrongs, the same situation, the identical circumstances, the extensive segregation, is also wrong in the North.

To attack these claimed inequities with such vigor in the South and at the same time overlook them elsewhere, is either a clear admission that: First, the alleged wrongs in the South are not, in fact, wrongs at all; or, second, there are great wrongs in the North that are neglected and uncorrected.

In brief, the law is not being enforced equally throughout the Nation.

If it is true, as the advocates of integration claim, that segregation deprives the Negro student of an equal education, millions of Negro students in the North are being deprived of their rights.

It is unquestionably clear that segregation in the schools exists in many major areas of the North to an equal extent, if not a greater extent, than in the South. I shall support this statement by official records that are admitted to be correct.

The records I shall cite have been obtained from the files of HEW—obtained in a legitimate way by a regularly constituted arm of the Senate. I have taken these matters up with Mr. Finch. I make no personal attack on Mr. Finch. He says that he does not contest the figures I am going to cite and that, so far as he knows, they are correct.

Regrettably, the deplorable situation of the North and West has been overshadowed and kept out of public sight and notice because the national bureaucracy responsible for enforcing integration in the schools has played an overly bright spotlight on the struggling schools of the South.

The goal for the school years 1969–70 and 1970–71, has been total abolition of all schools predominantly white or predominantly black. Total adjustments and change have been demanded as to students, curriculum, courses, transportation, equipment—everything—within this time frame. That is the general pattern that has been demanded in most of these districts. They are all moving in that direction. A few of the districts may be an exception to this general summary statement that I have made, but that is the trend, and that is the overall look.

I know most of these things from my personal knowledge, because I have had contact with many of them. I have appeared before the examiners with many school boards that have come to Washington from my State for hearings with reference to their matters. I have been there with them. I have testified in some of those cases as to facts with which I am familiar. I mention that just to show that this is not a strange subject to me.

Public attention has been concentrated on complaints of harassed educators and distraught parents in the South.

The policy of singling out the South for enforcement of the 1954 Supreme Court decision prohibiting discrimination in the public schools on account of race is based upon the idea that enforcement should be directed against areas of the Nation that once had State or local government laws that required or allowed segregated schools. I say that this was the policy.

This is known as *de jure* segregation. Segregation in public schools that has arisen out of a fact, or a combination of facts, not required or permitted by law is classed as *de facto* segregation.

By establishment of this policy—that is, a differentiation between *de jure* and *de facto* segregation—Federal officials have sought to excuse their inaction against segregation in the North while pursuing an intense program to achieve total and immediate integration in the South.

The effect of this policy is to say that segregation in the South is wrong but segregation in the North is not wrong.

It is merely a policy. This procedure, this approach, is merely a policy. It is not supported by the Civil Rights Act of 1964 nor by the Supreme Court decisions.

I cannot find anywhere in the Civil Rights Act of 1964 or in the Supreme Court decisions any direction or any holding that the law made a distinction between one part of the country and another or one kind of school segregation and another. The basic part of that decision of 1954 is very clear.

Now, this policy to which I have referred, and it applies to previous administrations and not only this one, is not a policy of law, it is not a policy of reason, and it is not a policy of right. It is a policy of the wrong and the strong; the "strong of the Federal Government bringing its vast power and talent against many small school boards and school officials in the South; the "wrong" of political expediency in leaving untouched the politically powerful and con-

trolling States of the North and the East. I shall specify some of them before I conclude my remarks.

This has been a willful and deliberate pattern of conduct known to the top officials of Health, Education, and Welfare over the years and in fact evolved by them. They have told this to me, as well as to other Senators. Along with other Senators, I called it to the personal attention of two former Secretaries of Health, Education, and Welfare and received firm promises that action would be taken. This was in 1966, 1967, and in 1968. Virtually no action has been taken. During the passage of the Education Act in the fall of 1967, these facts were brought to the attention of the Senate and this pattern of non-action in the areas outside the South was denounced by the then Senator Morse of Oregon, who was handling that education bill and the Secretary of Health, Education, and Welfare gave a letter to Senator Morse, which was included in the CONGRESSIONAL RECORD, promising action in the non-southern areas. Virtually no action has been forthcoming since the time of that letter.

Mr. President, I could not readily locate that letter. That is my best recollection. The letter was placed in the RECORD and I think I shall find it and make proper reference to it.

However, even if it should be conceded that such an inequitable and unequal policy is acceptable under the law, the States of California, Illinois, Indiana, Kansas, New Jersey, New York, Ohio, Pennsylvania, and the District of Columbia should come under the *de jure* classification.

Let us look at the facts: 91 percent of the total Negro student enrollment in all Northern and Western States is concentrated in these eight States and the District of Columbia. Segregation of races in the public schools was at one time either required or permitted by law in each of the above-named jurisdictions. I cite here some additional relevant facts:

Indiana has State statutes authorizing separate but equal public schools until 1949.

In New Jersey separate schools for Negroes were maintained well into the 20th century despite an 1881 statute prohibiting the exclusion of children from schools on the basis of race. In 1923 the State commissioner of education ruled that local school authorities could provide special schools for Negroes in their residential areas and allow the transfer of white students from these schools to white schools. The ruling was reaffirmed in 1930.

State statutes authorizing separate but equal public schools were in effect in New Mexico and Wyoming until 1954.

A State statute permitted separate but equal public schools in New York until 1938.

Many State courts in the North have upheld racially separate school facilities. For instance, courts in Ohio, Delaware, New York, and other States allowed exceptions to geographical attendance for the purpose of maintaining the segregation of Negroes.

I cite these instances as facts of life and to prove that even under the de

jure-de facto theory or policy, segregated schools in these States should be proceeded against in the same manner as the "de jure" schools in the South are being proceeded against.

I do not concede that the de jure-de facto policy is either logical or legal. I believe it is, in fact, both illogical and illegal. If segregation is unlawful because of the 1954 decision of Brown against Board of Education, it is illegal whether or not it results from de jure or de facto reasons, and it is illegal whether it occurs in the North or in the South.

Make no mistake about it. Let there be no misunderstanding. There is no real difference between segregation in the North and the South. The figures show many places in the North are more segregated than some places of the South.

I quote now from official HEW records to which I have already referred. Again, I make no distinction between the Negro students and the white students, and their right to go to school and have what can best be afforded. My point is that the way this matter is being handled is injurious to education; that the pattern of integration is superseding the higher object of education; that it is not being conducted equally and fairly throughout the Nation; but that the policy is deliberately and positively pointed to these Southern States.

These official records show that of 139,006 students in Washington, D.C., only 0.9 percent are desegregated. That is the term the records use. I shall explain it more later. Of the 308,266 Negro students in Chicago, Ill., schools, only 3.2 percent are desegregated. Of the 29,826 Negro students in Gary, Ind., schools, only 3.1 percent are desegregated.

The Negro student population in public schools in Buffalo, N.Y., is 26,381; 15,304 are in schools that are segregated 98 to 100 percent. Cleveland, Ohio, has 87,241 Negro students. Of these, 70,642, or 81 percent, are in schools 95- to 100-percent segregated. That means they have that percentage of Negro students, 95 to 100 percent.

In Atlantic City, N.J., 40 percent of the Negro students are in five schools that are 100-percent Negro.

In Chicago, there are 214 schools attended by 248,000 of the total Negro school population of 308,000, and each school contains 99- to 100-percent Negro student bodies. Of these 214 schools, 108 are 100-percent Negro. All-Negro schools are found throughout the State of Illinois.

The same is true of several other States in the North.

Now, Mr. President, I remember 2 years ago—perhaps it was 3 years ago—there was some kind of proceeding filed by the HEW in Chicago as to lack of integration in their schools. It was all in the newspapers. There was a visit by Mayor Daly and a telegram given to the press and something to the White House. That thing flooded the country for a few days and then it faded out. It was taken under advisement. So far as that proceeding is concerned, my information is that nothing has been done about it yet.

A few months ago the city of Chicago was notified or some demand was made

for integration of the faculty and they wired back that in order to integrate the faculty it would cost  $x$  number of dollars and please to send the money, that it would cost that much extra money and send the extra money. I do not know what happened since then, but I do not think any money has been sent there. I do not think there has been any real proceeding which has been effective about it.

With reference to the population of schools, the same is true of several other States in the North.

For instance, in Ohio, in 68 schools attended by 69,000 of the total Negro population of 87,000, the student enrollment there is 95 to 100 percent Negro.

That is in 68 schools where 69,000 out of a total 87,000 Negro students attend and those schools are 95 to 100 percent Negro. They are all-Negro schools throughout the State of Ohio.

In Dayton, Ohio, 18,000 of a 22,000 total Negro school population attend 20 schools that are 92.8 to 100 percent Negro. Eight out of the 20 are 100 percent Negro.

Mr. President, I do not bring this up as any reflection on the Negro students—not one bit; this is no more a reflection on the Negro students than on the white students.

I am citing here what is not being done about the massive, total demand for integration now.

I know, too, that until the pinch of this thing is felt by the mothers and fathers, teachers, and students, both Negro and white, throughout the great areas of this country, why we in the South are just at the mercy—I repeat, just at the mercy—of whatever may be the policies, or the demands of the administration in power. The South will be largely at their mercy.

I do not accuse them of exercising bad faith in every case. We have had some people there from HEW that did not know topside from bottom about school administration or school problems or anything in that field. Then we have had some that were understanding, capable, and competent but they were usually overruled, that latter kind.

Let me give credit where credit is due. I do not claim that Mr. Finch is indifferent to this situation. He has an awfully big job to fill. He has got a lot of people in there who are zealots on the subject, according to my definition. I know that he is concerned about it some. I do not accuse those predecessors of his, who promised to move in on this matter and make it uniform, and, therefore, make it possible to get a more moderate policy, of falsifying or deliberately going back on their word. Their hands might have been tied by a higher power. I do not know. But I do know what the result is. It is not contradicted. It will not be denied. They may try to explain away some fragments of this, but the bald, central facts I have just related are taken from the record here. I shall introduce some of the computerized information into the RECORD, if it is the will of the Senate that it stand in the RECORD as a part of my remarks.

Going back to the States, in the great State of Michigan, in Detroit 66,000 out of 175,000 Negro students go to schools

in 68 schools which are 99 to 100 percent Negro. Let me repeat that: In the great State of Michigan, in the city of Detroit 66,000 out of the 175,000 Negro students attend 68 schools which are 99 to 100 percent Negro.

Now, Mr. President, I have not heard any clear calls for fairness here from anyone in those States, asking HEW to come in there and stir the people up and enforce its edicts, as they are in the South. I have not heard any clamor for that. I judge by that that they are not interested in the things being done in their area of this country, but they are willing to vote and demand that it be done in the Southern area of this country.

I think the facts and figures here unmistakably and conclusively prove that that is the pattern, that generally it has the consent of the people in those States and is not going to be disturbed in any appreciable way unless this matter can be focused properly and brought to the attention of the people of the Nation. Whenever it is, I am very practical and frank about this.

Whenever it is brought into action with the unbearable demands that we sustain in areas of the South, there will be a moderation of this policy. It will be done right here on the Senate floor, in my opinion, or in the House, or in both. But long before we have to do it, I would hope it would be done through these departments.

The pattern of all-white and all-Negro schools in the North is not confined to big cities but also exists in the small areas as the charts which I shall introduce will show.

The conditions which I have outlined above would not be tolerated under the rules and regulations applied to schools of the South.

HEW and the Justice Department have moved with great speed and strength and repeated demands, although at times with some misunderstanding, against schools in the South that are as scarcely segregated as the examples in the jurisdiction that I have cited.

The governing authority of every public school district is required by HEW to sign a compliance or assurance agreement that the school will operate in compliance with the Civil Rights Act of 1964 as a prerequisite to receiving Federal funds. In the North a simple agreement—form 441—is used. This form simply states intent to comply with the Civil Rights Act of 1964. It has been and is the practice of HEW to accept compliance statements from schools in the North without making a check to determine if the school is, in fact, in compliance. In the South before the compliance form is accepted it has been and is the practice of HEW to check to see if the school is, in fact, in compliance. If there is an indication of noncompliance HEW then requires school officials to sign form 441-B which requires them to agree to desegregate the school—thereby admitting segregation—and to file a plan to accomplish desegregation.

The contrast between the North and South as to investigation and enforcement of integration by HEW is shocking.



When I say "North" I mean areas outside the South.

In the North only 46 of 7,015 compliance agreements filed have been given a preliminary check by HEW.

If my quick figures are correct, that is sixty-five one-hundredths of 1 percent that have been given a check in the North.

In the South 2,994 districts have filed form 441 and all have been checked, 100 percent. That is according to the records; that is not an estimate. It is according to the records; 1,107 districts have filed form 441-B outlining a voluntary desegregation plan.

In the North only, six out of 7,015 total districts of the North have been sent letters of noncompliance.

In the South, 568 out of 1,107 school districts of the South have been sent letters of noncompliance.

In the North and West, only one out of 7,015 school districts have been the subject of administrative action by HEW.

The tragedy of this so-called crusade against discrimination on a sectional basis is that it is within itself discrimination against a geographical section of the United States. The figures I have quoted showing the extent of segregation in the North are from the official files of the Department of Health, Education, and Welfare, but school segregation in the North has been long recognized and admitted by other Federal agencies.

In 1961, the Civil Rights Commission stated:

Public schools enrolling Negroes almost exclusively in some cases, and whites almost exclusively in others, are found in many cities throughout the North and West. . . .

In 1966 the U.S. Office of Education stated:

When measured by that yardstick (segregation), American public education remains largely unequal in most regions of the country, including all those where Negroes form any significant proportion of the population.

The great majority of American children attend schools that are largely segregated—that is, almost all of their fellow students are of the same racial background as they are . . . (vol. 1, Civil Rights Com. Report, 1967, p. 2)

In 1967, the Civil Rights Commission reported that racial isolation or segregation in the North had increased, not decreased.

The Commission stated flatly:

The extent of racial isolation in Northern school systems does not differ markedly from that in the South.

The March 1, 1969, report of the Secretary of the Department of Health, Education and Welfare—Civil Rights Commission Report 1967, Volume I Page 7—admitted that almost nothing is being done in the North while a crash-enforcement program is underway in the South.

I quote from that report of March 1, 1969:

During 1968, for example, there are Title VI compliance reviews in more than 400 southern school districts as compared to only 40 northern district reviews in thirteen northern and western states. In October 1968, there were 67 Title VI staff members assigned to

the South and only 32 persons covered the northern and western states. While significant steps have been taken in hundreds of urban and rural school districts in the South, the large and sprawling urban centers of the North remain relatively untouched.

I call these conditions to the attention of all the people of the Nation. I call them to the special attention of the parents of all the children in these affected schools in the East, the North, and the West. If the Federal Government should ever decide to enforce their edicts in your areas as they have in the South, then you will lose your community school. Your educators will be replaced by administrators and directors from Washington. Your school boards will find themselves virtually helpless and your administrators will be overruled and the pleas of the people for moderation will be rejected. I do not cite these facts with anything except the greatest regret and downright unhappiness.

I am a strong advocate for and defender of the public school system. I vigorously withstood pressure and agitation to join in a movement for private schools soon after the Supreme Court decision of 1954, because I knew that only the public school can serve the children of the great masses of the people. A private school here and there has a fine purpose, and has its place, but for the education of the masses we must preserve the public school, and I want to preserve it as a school and not as an experiment in social change. And this entire burden of social change has been placed on the doorsteps of our public school system.

I am not attacking as such the Civil Rights Act of 1964, and am not trying here to get it repealed. I have said that it is the law. But the extreme administration of that act, including this willful, deliberate discrimination in its application to only one section of the country is not in keeping with the letter or spirit of that law.

Mr. President, it would be nice to have the attention of Senators on this point. I am quoting here from the Civil Rights Commission report of 1969, filed March 4, during the present administration. This report says:

While significant steps have been taken in the hundreds of urban and rural districts in the South, the large and sprawling urban centers of the North remain relatively untouched.

That is the very thing I set out to prove and have been trying to prove, with facts and figures from that office.

Mr. LONG. Mr. President, will the Senator yield?

Mr. STENNIS. I had rather yield when I have finished, if the Senator does not mind. I shall be through shortly, and will be happy to yield to him then.

Mr. President, it is clear that racial segregation exists as much in the North, and in some areas much more, than in the South. It is also clear that enforcement of the civil rights law by the Federal Government is not equal, and does not attempt to be equal. There is no effort made for it to be equal in all sections of the Nation. It is even more clear that the Federal departments charged

with responsibility are not acting with the speed and effectiveness necessary to remove the problems in the North and the West.

I do not accuse anyone of bad motives, but I know if any administration wanted to move into those areas with the vigor and effectiveness that it has moved in our area, it could do it. They could get the money for a while. I think a reaction would set in then, though, and it would bring about a more moderate policy.

That is what we have to have, if the public schools are to retain their educational function. If they are to be used to carry virtually all of the load of this social change, then I think they will be destroyed as institutions for education. I am not wanting them to be destroyed in the North. I want this policy enforced in the North, though, if it is to be enforced against us, until it generates a reasonable reaction to moderate this civil rights policy as applied to schools—a policy that is not justified by the Civil Rights Act of 1964.

This discrimination against one area of the country is not justified nor authorized. This artificial distinction between so-called de jure and de facto segregation is nothing in the world but the tool of the administrators, to have an excuse to go into the areas where it will be politically profitable nationally to enforce that policy, whereas if they go into the States I have mentioned—which are not the only ones that have these conditions—I think they know it will be politically unprofitable, and there will be a political reaction. They are going to hear from a lot of mothers, I think, mothers of Negro students as well as of white students, when they go to bodily tearing the schools to pieces in New York and Chicago. They are going to hear from the people.

I say Mr. Finch is an honorable man, and I had the privilege of exchanging thoughts with him a few days ago on the Appropriations Committee. He stated in substance what is shown in the record; anyone interested can read it, but as I understood him, he said that housing problems in these cities and the congestion of city living have made it much more difficult, or almost impossible, he might have said, to have this policy carried out.

Well, I can tell you how you can mix them up. Just use the same method used in the South. You can take 200 of those children out of one of those schools that is composed of all black students in Chicago, and haul them out there into the suburbs somewhere, and put them in a school that has been all white, or virtually all white; and then take 200 of those white children out of that school out there in the suburbs and bring them and put them in this school that has been composed of all Negro students. Then you will have them integrated.

That is the way they are doing us. They are proposing to the courts that the courts enforce their plan to haul children from one end of the county to another, back and forth. They take the school buildings that are there, and they "pair" them. If there are nearly all

colored students in the south end of the county, they will haul some of those to the north end of the county, where the schools have been all-white or nearly all-white, and they will haul some of those white students back to the southern end of the county, and they will call that compliance.

I believe I have demonstrated here that there is not one single syllable of authority for requiring compliance like that. But if it is the law, it ought to apply in Chicago the same as it does in Mississippi, Alabama, Arkansas, or anywhere else. We have been going on here, year after year, and I can see the political impact of this thing. I have already explained my purpose in wanting it enforced up there too. But they are smarter than I am. They know the political impact, and they know the political reaction, and they have not gone in there. I do not think they ever will, to the extent that they have in our country, because if they should undertake it, I repeat for the benefit of those who have just come in, it will force a moderation of this policy. And if we are going to continue to have public schools that serve as institutions of education for the children, there must be moderation.

If we want to use the schools, I repeat, to carry on some other form of social change, all right; education will be secondary. But if we are going to do that, it ought to be done uniformly. And without imputing any bad motives to anyone, I say his thing has not been done.

Mr. President, I will be heard from further on this matter. I have additional facts, and I intend to offer an amendment that I believe will bring the matter into sharp focus, right here on this floor, and everyone is going to have a chance to say whether he believes in this policy. Senators are going to have a chance to say, "I believe it should be applied not only in the South, but in my State also." We shall see what happens on that vote.

That is not threat. It is simply justice in writing. And I believe these charts bring this thing into sharper focus and more accurate focus than any words could do.

Mr. President, as the Senator from Louisiana has to leave the floor shortly, I yield to him.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. LONG. Mr. President, what the Senator from Mississippi has said reminds me of my old days in the Navy when some officers who were not too popular with the men ordered their men to do something that the officers did not want to do themselves or the officers did not want to abide by a standard of conduct which the men were supposed to follow. When their hands were called on the matter, some would say, "Don't do as I do; do as I say."

It seems to me that the burden of the argument of the Senator from Mississippi is that the people in Illinois, New York, or Ohio seem to want a policy that they themselves are not willing to abide by. However, if it is good enough for us, it should be good enough for them.

It seems to be hard for everyone to

understand that if it is the law, everyone should abide by it.

Mr. STENNIS. Mr. President, I thank the Senator for his fine comment.

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. STENNIS. Mr. President, I am glad to yield to the Senator from Alabama. He is a man who knows a lot about this problem as it exists in the South.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. ALLEN. Mr. President, I commend the very able and distinguished Senator from Mississippi for his wonderful address. It does pinpoint the problem and does point out the discrimination that exists in our country in the enforcement of school desegregation policies.

I was particularly interested in his remarks along the line of the de jure segregation that at one time existed in the Southern States and in the State of Alabama, and the de facto segregation that existed, and still exists in many sections of this country outside the South.

I share with the distinguished Senator from Mississippi a certain amount of doubt and uncertainty and questioning as to why HEW should seek to do away with de jure segregation while at the same time not doing away with de facto segregation.

It seems to me that the two should be treated alike.

Mr. President, I am pleased that the distinguished Senator from Mississippi has pointed out the fact that the law is not being enforced uniformly throughout the country.

I point out to the Senator from Mississippi and to the Senate that in Alabama—and I am sure in other States of the South—we are concerned with the Vietnam war, and we back the President's efforts to secure an honorable peace in Vietnam. We are concerned with Vietnam. And approximately 1,000 Alabama boys have given their lives in Vietnam in the defense of our country and in the defense of our democratic institutions.

We are concerned with problems of inflation in Alabama. We are concerned with taxation. And we have a desire for tax reform. But the No. 1 consideration of the people of Alabama is seeking to save the public schools of Alabama from being destroyed by the policies and actions of the National Government. The Junior Senator from Alabama, along with the people of Alabama, the leaders of Alabama, and the Alabama State government wants to see every boy and girl in Alabama obtain a quality education. And we tax our people to build schools. We have taxed our people to raise the standards of education in Alabama so that we can bring the benefits of a quality education to every boy and girl in our State, and that is the desire of our people.

Mr. President, I suggest, too, that many people believe that all of the Negro population of the South favors policies of the National Government in the enforcement of these discriminatory rules in the South.

That is far from being the truth. I received an urgent call from Negro friends of mine in Alabama several days ago protesting the closing of a fine Negro high school. They had a fine building, almost a brandnew building. They had a fine band. They had a fine athletic program, and a nice auditorium that was used for community activities. And that school was ordered closed and about 400 students transferred to white schools.

They are up in arms against that. And the people of Alabama do not want to see these discriminatory policies applied in the State of Alabama.

I called the attention of the President of the United States to the discrimination that exists; the discrimination that is apparently the public policy of the National Government in the enforcement of the school policies of this country.

I read from the letter I wrote him:

May I respectfully remind you of the opinion you expressed in a September 12, 1968, television broadcast that you did not believe, "It is the responsibility of the Federal Government and the Federal courts to, in effect, act as local school districts in determining how we carry out the (Supreme Court Brown decision) and then to use the power of the Federal Treasury to withhold funds or give funds in order to carry it out. . . ." Your judgment at this point was, "I think, we are going too far."

I also reminded him that under the 1968 appropriations bill to HEW, no part of the funds contained in that act were to be used for the purpose of busing any students, for closing any schools, or for forcing any parent to send his children to a school other than the school of his choice.

I received a letter from Mr. Finch subsequent to that in answer to my communication to the President. He was trying to explain why it was that there was one set of rules for Alabama and the South and another set of rules for the rest of the country.

I read in part from his letter:

The legislative history of these provisions, as well as the decisions of the Federal courts, make it clear that they were intended to preclude any requirement that school officials take steps to overcome racial imbalance which has resulted from fortuitous patterns of residence.

In the North, in other words, where they have "fortuitous patterns" of residence—concentrated black population in one area and concentrated white population in another area—they are not required to desegregate schools.

I continue to read from the letter:

Where, however, racial segregation of students in a school system has been caused, in whole or in part, by the official action of the State, these statutory provisions provide no barrier to any steps necessary to desegregate the schools and are not steps to overcome racial imbalance prohibited by those laws. For this reason, I believe that the statutes to which you refer are inapplicable to the situation in Mobile.

We have this type of situation in Mobile. We have it in every section of our State. We have some 95 school systems in Alabama under Federal court order; and I might say that, despite all I have read and heard about a relaxation of the desegregation policies of the National



Government, I see absolutely no indication of that in Alabama. There is a great speedup. They say, "Well, we are not enforcing it through the Department of Health, Education, and Welfare by withholding Federal funds. Instead of that, we are going into the Federal courts and enforcing compliance by Federal court decrees." So they are going at it in a different way and are trying to take the burden, or the onus of these intolerable plans they are forcing on the people of Alabama off their shoulders and trying to put it on the shoulders of the Federal courts.

I have been keeping close track of a situation that exists in Choctaw County, Ala., which has approximately 5,000 students.

Of the high schools in the county two of them were approved by the Southern Association of Secondary Schools and Colleges. Four were approved by the State of Alabama. One high school was not approved by either accreditation agency.

The Department of Health, Education, and Welfare sent one man into Choctaw County. He did not talk to a single pupil; he did not talk to a single parent; he did not talk to a single teacher or school official. He sat down and wrote a program for the Choctaw County schools, which was submitted to the courts and was forced on the people of Choctaw County.

In his plan, he referred to Choctaw County, Ala., as being Choctaw County, Miss. I do not object to the reference to Mississippi, I say to the Senator from Mississippi, except that Choctaw County is not in Mississippi but is in the State of Alabama. He spoke of Choctaw County being a parish rather than a county, as we call them, of course, and as they are called in the State of Mississippi. Apparently, he did not even realize that he was in Choctaw County, Ala., when he wrote out this plan based, apparently, on a 1-day visit to Choctaw County.

Of the six high schools that were approved by one accreditation agency or the other and of the one that was not approved by any accreditation agency, they kept the nonapproved high school and ordered the closing of the two schools that had been approved by the Southern Association of Secondary Schools and Colleges.

So it is the contention of the junior Senator from Alabama that the Department of Health, Education, and Welfare is not in the slightest interested in providing the schoolchildren of Alabama with a quality education. If they were concerned with quality education for our young people, they would not come up with these types of plans. They are interested in social or sociological programs. They are interested in getting votes in sections outside the South. It is purely a political maneuver on the part of the national administration to force these plans on the people of Alabama and on the people of the South, having one rule in Alabama and the South and another rule in the northern States.

I make this statement—and this has not always been the sentiment of the people of Alabama: If the National Gov-

ernment will give the people of Alabama, and I believe of the South, freedom of choice, let any school in the State be opened to any school child in the State, subject only to residence requirements and scholastic requirements, no complaint will be heard from the junior Senator from Alabama thereafter. If the schoolchildren of Alabama are permitted to go to the schools to which their parents want to send them—the white children to go where they want to go, the Negro children to go where they want to go—we will not have any further trouble.

Actually, the Supreme Court has not ruled out freedom of choice as such, as the junior Senator from Alabama understands it. They have held that where a freedom of choice plan is used, it is not going to be satisfactory unless it has resulted in complete integration of the school. So they have not ruled out the plan as such.

Mr. STENNIS. Mr. President, I thank the Senator from Alabama very much for his remarks. I do not know of anyone who has gained more respect and confidence, in such a short time, on the floor of the Senate than the junior Senator from Alabama, who began his service in the Senate in January of this year. He is interested in this subject as well as in others.

Mr. ALLEN. I thank the distinguished Senator from Mississippi.

Mr. STENNIS. Mr. President, reference already has been made to the question of busing. When the Civil Rights Act was before Congress, Congress wrote, in clear and unmistakable language and in simple phrases that are easily understood, that none of the funds authorized under this act would be used for the busing of children in order to overcome racial imbalance. Those words have fairly simple and clear meaning. That was the will of the legislative branch, and it was approved by the Chief Executive.

I have not reviewed this matter lately, but, in effect, the Department of Health, Education, and Welfare and the courts have joined to a degree to say, "Well, that is all right, so long as it is an area that at one time had these laws with reference to segregation."

I pointed out today the States that had laws of that type until fairly recently, and there has not been an "i" dotted or a "t" crossed except a very slight effort in those areas to do anything about this doctrine.

But, further with respect to the question of busing, a very apt amendment has been passed by the House on this matter and will be coming up here. I anticipate, along with others, to present a most thorough consideration of just what is involved in the language and in the administration of it.

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield briefly to the Senator from Alabama because I do have an appointment.

Mr. ALLEN. I thank the Senator. I wish to ask the distinguished Senator from Mississippi if he saw the article entitled "School Busing in Trouble," which was published in U.S. News &

World Report of October 13. I am sure the Senator did.

Mr. STENNIS. Yes, I saw the article. Mr. ALLEN. It has already been printed in the RECORD.

Mr. STENNIS. I thank the Senator very much.

Mr. President, I speak with great deference to any individual involved in this matter, but these so-called educational experts come into our area of the country on the call of the court, more or less, and are sent by HEW. I said these things to Mr. Finch, so I am not talking behind his back. Some of them are well qualified, and some of them are wholly unqualified. One of the qualified ones made a remark in my State not long ago. Under a pressure of time by a court, they wanted a plan submitted by a certain day. In effect, he made the remark, "This is a farce. We are called on to do all this work in a week or 10 days, when as a minimum we should have 4 months and a full staff."

That is what Mr. Finch testified to in court in New Orleans. The court upheld him there and said there was not sufficient time. That is a case that has been appealed to the Supreme Court. I make no further remarks about it.

I am talking about these shotgun methods to which we are subjected. In that case, when Mr. Finch found out about it, he moved in, and he made a statement. He found out there was not sufficient time. He has been verbally assaulted all over the country and criticized all over the country for that one matter alone. I shall not dwell on it any further.

I wish to make a further comment. I said the other day that schools that have total enrollment of Negroes, could have that situation partly because they want it that way. Our statements are subject to being discounted or ignored.

I am familiar with this situation because of my personal contact with leading colored citizens. Negro citizens, at least from my State, that I have known all of their lives, tell me, "We want to keep our schools. We want our games, our teams, our band, our programs, and our days."

I know of a little area down in Mississippi where there are thriving, industrious Negroes. Right after the war 100 years ago they started in the smallest way in buying a little land on credit and getting it paid for. That has spread and spread. They were not colonized but families after families for 100 years have been able to buy little farms. They are entirely independent, and they have livestock, cattle, grow cotton or whatever they wish to grow. They have schools and they do not want to give them up. Of course, they do not want to give them up. I represent them as much as anyone else. I know some of them personally and I have known the third generation of them.

They tease me about a case I once had as a judge where I did not approve an appearance bond signed by a lot of men of my color and race. They brought the bond back to me with the signature of an old colored man I knew and I approved the bond. I know what I am talking about on that subject.

They feel as if something is being taken away from them. They come to me and they talk about these things. I go to them and talk about these matters. They feel free to tell me exactly the way they feel. I know they are interested in education, not integration.

Mr. BYRD of West Virginia. Mr. President, would the Senator yield?

Mr. STENNIS. I yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, the school population in the District of Columbia is 95 percent Negro, while the overall population of the District of Columbia is 75 percent Negro. I wonder if the Senator could state for the RECORD how many department heads who live in the District of Columbia and who have children of high school or elementary school age, send their children to public schools in the District of Columbia. Does the Senator have that information?

Mr. STENNIS. No, I am sorry. I am not informed on that subject. My estimate would be very few. If the Senator from West Virginia is informed on that matter, I would appreciate his telling me and other Senators the figure.

Mr. BYRD of West Virginia. Is the Senator aware of the number of individuals in the U.S. Office of Education who live in the District of Columbia and who are in policymaking positions, administrative positions and so on, who are sending their children to public schools in the District of Columbia?

Mr. STENNIS. I am sorry. I am not informed on that subject. I do not know. I hope the Senator from West Virginia has that information and if he does I wish he would supply it for the RECORD. The Senator did an outstanding job for so many years handling the appropriation bill for the District of Columbia. The

District of Columbia was fortunate to have him; and they have a good successor.

Mr. BYRD of West Virginia. Is the Senator aware of the number of Senators who live in the District of Columbia, who have children of elementary and high school age, and who send those children to the public school in the District of Columbia?

Mr. STENNIS. I do not know of any. I know when I came here several years ago Senator Morse of Oregon and I belonged to the PTA near here and we used to have a big time. But I do not think any Members of Congress have children in those schools.

Mr. BYRD of West Virginia. I thank the Senator.

Mr. STENNIS. I thank the Senator very much.

Mr. President, I do want to emphasize today that my interest is public school education for all the people. I know that public school education for all the people cannot continue to exist in major areas of this country under the present policy. Something must be done. I believe that a much more moderate policy called freedom from force, freedom of choice, or whatever one wishes to call it, is a necessity.

Without referring to any case or any judge, I believe, too, that judges who sit on our courts which have been dealing with this problem—and they are honestly dealing with it—are rapidly swinging around to the conclusion that there is a lot more to school than the race division of children.

It takes a great deal to make up a school. It takes educators. It takes people advanced in the technology of education. It takes administration. It takes parent support and contentment. It takes children who are reasonably quiet and

contented. It takes local interests who support local taxes in the form of bonds and retirement money for those bonds.

My prediction is that they are grasping this problem more as it is and that they, too, will have a more moderate view.

Mr. President, I ask unanimous consent to have the following documents printed in the RECORD:

Table 1: Status of Public School District Desegregation in Selected Southern Cities.

Let me just refer there, by comparison with cities in the North: Atlanta, Ga., for instance, has a higher percentage of desegregation than Gary, Ind., or Chicago, Ill., I could give other illustrations, but that figure will speak for itself.

Table 2: Status of Public School District Desegregation in Selected Northern Cities.

A table entitled "Exhibit 13-C(1)", with additional tables on the same subject.

These show the total number of school districts in the various areas of those States, the total Negro population and then the percentage, and then the percentage of segregation or integration, whichever we call it, in that last column.

A statement on Negro student enrollment in the Northern and Western States.

A brief, one-page statement made to me by a noted educator of my State who is honestly trying to do something about this problem. He has spent his life in the schoolrooms, and in school administration. He has a doctor's degree. He is highly respected and very well known among his fellow educators.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 1.—STATUS OF PUBLIC SCHOOL DISTRICT DESEGREGATION IN SELECTED SOUTHERN CITIES

City/State	Number of schools	1968-69 enrollment			Percent enrollment		Students in predominantly white schools		Percent desegregated <sup>2</sup>	
		Total enrollment	Negro	Total minority <sup>1</sup>	White	Negro	Total minority <sup>1</sup>	Negro	Total minority <sup>1</sup>	Total minority <sup>1</sup>
Mobile, Ala.	92	75,464	31,441	31,441	44,023	41.7	41.7	3,430	3,430	10.9
Little Rock, Ark.	44	24,854	8,955	8,959	15,895	36.0	36.0	1,460	1,464	16.3
Dade County Fla. (Miami)	215	232,465	56,518	96,867	135,598	24.3	41.7	7,032	23,427	24.2
Atlanta, Ga.	160	111,227	68,662	68,721	42,506	61.7	61.8	3,724	3,780	5.4
Orleans Parish, La.	131	110,783	74,378	76,110	34,673	67.1	68.7	6,524	7,787	10.2
Jackson, Miss.	56	38,773	17,919	17,980	20,793	46.2	46.4	544	599	3.0
Raleigh, N.C.	39	22,993	6,245	6,327	16,666	27.2	27.5	1,341	1,423	21.5
Columbia, S.C.	63	40,122	18,735	18,735	21,387	46.7	46.7	3,236	3,236	17.3
Richmond, Va.	66	43,115	29,441	29,573	13,542	68.3	68.6	1,890	2,003	6.4

<sup>1</sup> Total minority includes American Indian, Negro, oriental, and Spanish surnamed students. <sup>2</sup> These figures indicate the percentage of Negro and total minority students attending predominantly (over 50 percent) white schools.

TABLE 2.—STATUS OF PUBLIC SCHOOL DISTRICT DESEGREGATION IN SELECTED NORTHERN CITIES

City/State	Number of schools	1968-69 enrollment			Percent enrollment		Students in predominantly white schools		Percent desegregated <sup>2</sup>	
		Total enrollment	Negro	Total minority <sup>1</sup>	White	Negro	Total minority <sup>1</sup>	Negro	Total minority <sup>1</sup>	Total minority <sup>1</sup>
Washington, D.C.	188	148,725	139,006	140,445	8,280	93.5	94.4	1,250	1,810	0.9
Chicago, Ill.	610	582,274	308,266	362,796	219,478	52.9	62.3	9,743	32,391	8.9
Gary, Ind.	50	48,431	29,826	34,368	14,063	61.6	71.0	916	1,572	4.6
Topeka, Kans.	49	25,737	3,058	4,321	21,416	11.9	16.8	1,904	2,864	66.3
St. Louis, Mo.	181	115,582	73,408	73,770	41,812	63.5	63.8	5,244	5,547	7.1
Buffalo, N.Y.	101	72,115	26,381	28,173	43,942	36.6	39.1	8,169	9,500	31.0
New York, N.Y.	853	1,063,787	334,841	596,422	467,365	31.5	56.1	65,853	101,403	19.7
Cincinnati, Ohio	106	86,807	37,275	37,576	49,231	42.9	43.3	8,110	8,366	21.8
Milwaukee, Wis.	157	130,445	31,130	35,284	95,161	23.9	27.0	3,849	6,536	12.4

<sup>1</sup> Total minority includes American Indian, Negro, oriental, and Spanish surnamed students. <sup>2</sup> These figures indicate the percentage of Negro and total minority students attending predominantly (over 50 percent) white schools.



## EXHIBIT 13-C(1)

SCHOOL DISTRICTS CONTAINING SOME SCHOOLS WITH NEGRO ENROLLMENTS OF GREATER THAN 80 PERCENT OF TOTAL SCHOOL ENROLLMENT—BASED ON HEW-IBM DATA FROM 1968-69 ESS SURVEY REFLECTING DISTRICTS WHERE 1 OR MORE SCHOOLS WITH MINORITY GROUP ENROLLMENT OF OVER 80 PERCENT ARE LOCATED

ILLINOIS						
Total districts	Total schools	Total Negro	Total white	Total		
473.....	3, 220	1 398, 257	2 1, 448, 168	3 1, 920, 984		
<sup>1</sup> 20.73 percent of total. <sup>2</sup> 75 percent of total. <sup>3</sup> Includes other minorities.						
	Total number of schools in district	Total Negro school population	Percent Negro students to total school enrollment	Actual number of schools, Negro students, and degree of Negro student isolation		
				Number of schools	Number of Negro students	Percent
1. Blue Island.....	6	1, 076	16.3	1	613	100
2. Blue Island district No. 130.....	10	375	10.5	1	215	100
3. Chicago Heights.....	13	1, 779	34.8	2	1, 229	100
4. East Chicago Heights.....	3	1, 581	93.3	3	1, 581	99, 100
5. Harvey.....	8	879	24.6	1	427	100
6. Maywood.....	10	2, 062	47.7	2	1, 882	99.3-99.8
7. Posen.....	9	2, 156	74.1	4	1, 730	99-100
8. South Holland.....	6	846	32.5	1	309	97.5
9. Argo.....	4	534	27.8	1	239	98
10. West Harvey.....	6	2, 394	79.6	3	1, 538	95-97.5
11. Chicago.....	610	308, 366	52.9	214	248, 677	99, 100
				(25) 239	274, 497	90-100
				(28) 267	285, 788	80-100
12. Kankakee.....	15	1, 459	19.4	1	538	97.1
13. North Chicago.....	2	652	81.5	1	486	97.6
14. Waukegan.....	20	1, 907	18.4	2	773	91.6-97
15. Alton.....	32	2, 430	18.3	1	32	100
16. Madison.....	16	1, 287	45.4	2	929	100
17. Peoria.....	39	4, 732	17.7	3	1, 225	86.1-95.7
18. Lovejoy.....	1	486	100	1	486	100
19. Cahokia.....	13	1, 458	17.8	1	491	88
<hr/>						
20. East St. Louis.....	41	16, 586	71.6	24	12, 787	95.2-100
				2	869	86, 87
				26	13, 656	
<hr/>						
21. Springfield.....	41	2, 261	9.9	1	420	91.3
22. Danville.....	22	1, 754	16.8	1	259	95.2
23. Lockport.....	2	603	70.8	1	163	98.2
24. Joliet.....	27	2, 797	23.9	3	1, 271	98.5-100
25. Rockford.....	55	4, 434	12	1	472	89.8
Total.....	1, 003	364, 894		430	316, 752	86.8

## OHIO

Total districts	Total schools	Total Negro	Total white	Total
640	4,222	1 287,440	2 2,093,321	3 2,400,296

<sup>1</sup> 11.9 percent.  
<sup>2</sup> 87.2 percent.  
<sup>3</sup> Includes other minorities.

	Total number of schools in district	Total Negro school population	Percent Negro students to total school enrollment	Actual number of schools, Negro students, and degree of Negro student isolation		
				Number of schools	Number of Negro students	Percent
1. Lima.....	18	2,626	23.6	1	804	96.8
2. Hamilton.....	23	1,554	10.0	1	673	82.5
3. Springfield.....	30	3,924	21.3	1	464	81.9
4. Cleveland.....	180	87,241	55.9	68	69,728	95-100
				(5) 73	75,048	90-100
				(5) 78	79,221	80-100
					79,221	80-100
5. East Cleveland.....	9	5,200	70.3	5	3,581	77.7-99.1
6. Shaker Heights.....	12	1,698	21.6	1	499	88.8
7. Columbus.....	168	28,729	26.0	29	16,341	80-100
8. Cincinnati.....	106	37,275	42.9	23	18,957	80-100
9. Lincoln Heights.....	2	1,898	100.0	2	1,898	100
10. Lorain.....	23	2,280	13.2	1	201	92
11. Toledo.....	76	16,473	26.7	12	10,551	81.3-100
12. Youngstown.....	43	10,905	40.9	9	4,665	81.3-100
13. Dayton.....	69	22,790	38.3	20	18,837	92.8-100
14. Jefferson Local.....	5	1,889	66.9	1	658	99.5
15. Alliance.....	12	1,127	18.0	1	251	90.3
16. Canton.....	33	4,318	19.6	1	386	95.8
17. Akron.....	71	15,137	25.8	10	5,958	83.4-100
				6	9,432	52.4-100
				16	9,432	
18. Warren.....	24	3,206	22.4	2	735	88-97
Total.....	904	248,270		204	168,154	

## MICHIGAN

Total districts	Total schools	Total Negro	Total white	Total
500.....	3,642	1 275,878	2 1,764,431	3 2,073,369

<sup>1</sup> 85 percent of total.  
<sup>2</sup> 13 percent of total.  
<sup>3</sup> Includes other minorities.

	Total number of schools in district	Total Negro school population	Percent Negro students to total school enrollment	Actual number of schools, Negro students, and degree of Negro student isolation		
				Number of schools	Number of Negro students	Percent
1. Benton Harbor.....	(28)	5,359	(45.4)	5	2,539	(83.3-100)
2. Battle Creek.....	(21)	2,756	(24.2)	1	411	(91.5)
3. Flint.....	(55)	17,212	(37.0)	11	6,423	(96.9-100)
				1	7,297	(86.5-100)
				12	7,297	(86.5-100)
4. Lansing.....	(84)	3,469	(11.3)	3	775	(83.5-97.2)
5. Kalamazoo.....	(39)	2,786	(14.6)	2	971	(88.3-92.2)
6. Grand Rapids.....	(65)	7,721	(21.6)	6	2,894	(96-100)
				2	4,055	(91.3-100)
				1	4,305	(86.3-100)
				9	4,305	(86.3-100)
7. Mount Clemens.....	(13)	1,421	(21.0)	1	283	(97.9)
8. Muskegon.....	(17)	1,989	(19.4)	1	525	(98.3)
9. Muskegon Heights.....	(12)	2,953	(70.4)	3	1,307	(96.4)
				1	1,359	(81.2)
				1	1,660	(81.2-100)
				5	1,660	(81.2-100)
10. Ferndale.....	(12)	817	(10)	1	365	(100)
11. Pontiac.....	(36)	6,990	(29)	7	3,536	(91.4-100)
12. Oak Park.....	(10)	602	(9.7)	1	304	(99.4)
13. Saginaw.....	(40)	7,510	(33)	9	4,178	(95-100)
				2	5,580	(91.8-100)
				1	5,625	(87.0-100)
				12	5,625	(87.0-100)
14. Buena Vista.....	(8)	1,354	(36.2)	2	586	(84.5-92.6)
15. Port Huron.....	(30)	808	(5.4)	1	123	(88.3)
16. Ypsilanti.....	(14)	1,565	(21.3)	1	498	(92.6)
17. Detroit.....	(301)	175,316	(59.2)	68	66,058	(99-100)
				40	103,579	(95.1-100)
				18	119,986	(90-100)
				16	137,616	(80.6-100)
				142	137,616	(80.6-100)
18. Highland Park.....	(10)	5,992	(76)	5	2,819	(81.3-100)
19. Inkster.....	(9)	3,878	(84.1)	6	3,351	(88-100)
20. River Rouge.....	(5)	1,712	(45.6)	2	1,041	(100)
21. Romulus.....	(9)	919	(18.1)	1	345	(82.5)
22. Dearborn.....	(7)	1,889	(34.2)	1	583	(80.7)
23. Ecorse.....	(7)	2,203	(53)	2	804	(100)
Total.....	832	257,221		222	176,362	1 (80-100)

<sup>1</sup> Scale.

## NEW JERSEY

Total districts	Total schools	Total Negro	Total white	Total
321.....	1,907	1 200,117	2 986,488	3 1,234,470

<sup>1</sup> 16 percent of total.  
<sup>2</sup> 79 percent of total.  
<sup>3</sup> Including other minorities.

	Total number of schools in district	Total Negro school population	Percent Negro students to total school enrollment	Actual number of schools, Negro students, and degree of Negro student isolation		
				Number of schools	Number of Negro students	Percent
1. Atlantic City.....	(14)	5,357	(62.3)	5	2,883	(100)
2. Englewood.....	(8)	1,921	(46.5)	1	31	(91.2)
3. Hackensack.....	(7)	1,416	(23.6)	1	202	(96.3)
4. Camden.....	(31)	11,909	(58.9)	19	10,008	(81.2-100)
5. Vineland.....	(20)	888	(9.3)	2	33	(88.6-89.2)
6. East Orange.....	(14)	8,769	(78)	11	7,448	(83.3-99.3)
7. Essex.....	(5)	1,043	(39)	1	478	(89.5)
8. Montclair.....	(13)	2,847	(36)	1	538	(95.6)
9. Newark.....	(80)	55,057	(72)	65	48,686	(81.3-100)
10. Orange.....	(9)	2,808	(64)	2	469	(89.6-98.9)
11. Jersey City.....	(36)	15,998	(43)	10	7,995	(92.8-100)
12. Trenton.....	(21)	11,143	(66)	12	7,005	(80.3-99.5)
13. New Brunswick.....	(11)	2,675	(40)	4	1,129	(87.6-94.6)
14. Perth Amboy.....	(11)	771	(12)	1	60	(84.7)
15. Asbury.....	(4)	2,152	(61)	1	941	(98.7)
16. Long Branch.....	(11)	1,538	(27)	1	201	(90.9)
17. Township.....	(11)	2,544	(34)	1	183	(97.9)
18. Passaic.....	(11)	2,632	(31)	3	824	(88.1-94.3)
19. Paterson.....	(29)	11,479	(45)	10	6,669	(80.2-99.1)

## EXHIBIT 13-C(1)—Continued

SCHOOL DISTRICTS CONTAINING SOME SCHOOLS WITH NEGRO ENROLLMENTS OF GREATER THAN 80 PERCENT OF TOTAL SCHOOL ENROLLMENT—BASED ON HEW-IBM DATA FROM 1968-69  
ESS SURVEY REFLECTING DISTRICTS WHERE 1 OR MORE SCHOOLS WITH MINORITY GROUP ENROLLMENT OF OVER 80 PERCENT ARE LOCATED—Continued

NEW JERSEY—Continued						
	Total number of schools in district	Total Negro school population	Percent Negro students to total school enrollment	Actual number of schools, Negro students, and degree of Negro student isolation		
				Number of schools	Number of Negro students	Percent
20. Elizabeth.....	(25)	5,357	(34)	5	2,251	(83.2-96)
21. Linden.....	(14)	1,519	(20)	1	395	(84.3)
22. Plainfield.....	(15)	5,463	(59.6)	3	729	(85.3-91.8)
23. Roselle.....	(6)	1,226	(34.3)	1	438	(90.5)
24. Township of Union Public Schools.....	(10)	986	(11.3)	1	370	(94.9)
Total.....	416	157,498		162	90,966	1 (80-100)
1 Scale.						
PENNSYLVANIA						
Total districts	Total schools	Total Negro	Total white	Total 1		
454.....	3,978	265,019	1,841,846	2,120,870		

PENNSYLVANIA—Continued						
	Total number of schools in district	Total Negro school population	Percent Negro students to total school enrollment	Actual number of schools, Negro students, and degree of Negro student isolation		
				Number of schools	Number of Negro students	Percent
1. Bradcock.....	(4)	781	66.7	1	297	(90.5)
2. McKeesport.....	(23)	1,336	12.7	1	487	(83.5)
3. Penn Hills.....	(16)	809	5.7	1	246	(100.0)
4. Pittsburgh.....	(113)	29,898	39.2	23	17,936	(80.9-100)
5. Wilkinsburg.....	(7)	1,773	39.5	1	471	(97.9)
6. Aliquippa.....	(10)	1,775	38.5	1	391	(84.4)
7. Harrisburg.....	(18)	6,668	49.4	5	2,924	(86.3-97.7)
8. Chester City.....	(17)	8,120	70.3	8	4,982	(84.8-100)
9. Darby.....	(3)	1,232	70.4	1	384	(100.0)
10. Norristown.....	(14)	1,981	20.4	1	360	(83.1)
11. Philadelphia.....	(278)	166,083	58.8	132	127,641	(80.2-100)
Total.....	503	220,456		175	156,129	80-100

# NEGRO STUDENT ENROLLMENT IN 10 NORTHERN AND WESTERN STATES, WHICH AGGREGATES 91 PERCENT OF THE TOTAL NEGRO STUDENT ENROLLMENT IN ALL NORTHERN AND WESTERN STATES

(All except one of these states within recent years have had either laws, judicial decisions or other legal basis that required or permitted separate but equal schools. Thus, giving rise to de jure segregation.)

1. California.....	382,525
2. District of Columbia.....	139,006
3. Illinois.....	398,257
4. Indiana.....	105,772
5. Kansas.....	30,052
6. Michigan.....	275,878
7. New Jersey.....	200,117
8. New York.....	473,253
9. Ohio.....	287,400
10. Pennsylvania.....	265,019

Total Negro student enrollment, 10 States..... 2,557,279

Total overall Northern and Western States (Negro student enrollment)..... 2,834,083

(91 percent of Negro student enrollment in the North and West should be under the same policy as now applied to the South even if a distinction is made between de facto and de jure segregation.)

## STATEMENT

The race problem is America's most involved domestic problem. School desegregation is a very critical part of the solution of the race problem.

The Court has ordered that "educators" work with the school districts in the development of sound plans for ending segregation. There are all kinds and grades of "educators." Most are generalists like general practitioners in the medical field. Some educators are specialists, as some physicians are specialists: cardio-vascular surgeons, etc. The specialists required for the discharge of the task the Courts have set out should have specialized training and experience in a very wide range of basic areas of school administration: school transportation, including a study of traffic flow and hazards; in school building capacities and utilization; in planning educational programs both on a building and district-wide basis; in school curriculum and instruction; in sociology; and in school finance.

To have a generalist without specialized training and experience in these fields make recommendations in the intricate matters involved in the Court Orders would be like asking a general medical practitioner or a specialist in the diseases of the eye to perform an operation that calls for a heart transplant. The results, of course, would be fatal and the results to the whole matter of integration fatal when less than experts work at it.

Therefore, we recommend that the Courts require the Office of Education to pick educators with specialized training in school administration in the fields listed above, that they have an earned Doctor's degree in one or more of these fields and have experience as a school superintendent or as a professor of school administration in a first rate university. In a team, and a team of workers is required, there should be one or more persons with a Doctor's degree and with experience in school curriculum and instruction.

Mr. STENNIS. Mr. President, it is too voluminous to place in the RECORD, but in the files of the Appropriations Subcommittee on Health, Education, and Welfare, there are composite tables showing the listing of every school in the city of Chicago and the division of Negro and white students, and other nonwhite students in that area. Any Senator who wishes to, may look at that file.

Mr. President, I thank the Chair for his indulgence and the Senate for its patience in listening to me.

Mr. President, I yield the floor.

Mr. HANSEN. Mr. President, I have listened with a great deal of interest to the remarks of the distinguished Senator from Mississippi.

Coming from Wyoming as I do, I am not familiar with the details of a great many of the problems to which the Senator has addressed himself. I must say, however, that I think it would be a valuable and timely exercise, at this juncture in history, for every Senator and every other American to read carefully and note what the distinguished Senator has said.

The Civil Rights Act was passed in 1964. I am going to have to place a great deal of the blame for what has been

done in one section of the country that may not have been done in another section, in implementing that act, upon the previous administration.

Having said that, let me add that the present administration should be measured by the same standards that apply to that.

I see no reason or justification for applying a national law any more leniently or any more strenuously in one part of the country than in another.

While I do not know from personal experience, I must say that I am certainly strongly persuaded by the very eloquent argument made this afternoon by the distinguished Senator from Mississippi.

It will be my purpose to urge all my colleagues, in order that they may have a better understanding of their country and its problems and the lack of uniformity in application of the laws, to read the eloquent address of the Senator from Mississippi.

Mr. STENNIS. I thank the Senator from Wyoming very much. I thank him not only for myself, but also for those who work in school activity in the area here that is being moved in on and taken over to such a rigorous degree.

I thank the Senator from Wyoming for all of them. That includes county school trustees, the administrations, the faculty members, regardless of whether they are Negro or white—and all the citizens who live in that entire area.

I thank the Senator for his keen understanding and sense of fairness. I am most grateful to him.

Mr. HANSEN. The point I want to make is that I am not trying to imply that the Civil Rights Act is wrong or that it is right. It is the law, and as part of this country it should apply uniformly throughout the country.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its



reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11039) to amend further the Peace Corps Act (75 Stat. 612), as amended.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13194) to authorize special allowances for lenders with respect to insured student loans under title IV-B of the Higher Education Act of 1965 when necessary in the light of economic conditions in order to assure that students will have reasonable access to such loans for financing their education, and to increase the authorizations for certain other student assistance programs.

#### ASSOCIATION OF SENATOR HOLLINGS WITH REMARKS OF SENATOR SCOTT BEFORE AMERICAN-ISRAEL PUBLIC AFFAIRS COMMITTEE

Mr. HANSEN. Mr. President, on behalf of the Senator from Pennsylvania (Mr. Scott), I wish to state that the Senator from South Carolina (Mr. Hollings) would like to have his name associated with the remarks of Senator Scott before the American-Israel Public Affairs Committee on the occasion of Israel's 21st birthday, which are printed in the RECORD of April 25, 1969, at pages 10491-10492.

#### OCTOBER 15 REVISITED

Mr. HANSEN. Mr. President, columnist Jack Anderson, in his "Washington Merry-Go-Round" column printed in this city, October 15, 1969, makes some interesting comments concerning the moratorium which has received so much publicity.

Mr. Anderson reported from Tokyo, and the second paragraph of his column seems particularly pertinent to any post-mortem which will be conducted in regard to yesterday's demonstrations. Mr. Anderson said:

This column has examined documentary evidence that a few rabid revolutionaries who seek to dominate the anti-war movement in the United States are receiving instructions from Hanoi. They aren't against war at all; they merely are on the enemy's side.

If Mr. Anderson's sources are correct, then thousands of good, patriotic Americans who participated in the Vietnam moratorium with the very best of intentions should be powerfully disturbed when they learn of the motives of some of the leaders of the movement.

It is my hope that my concern in this matter will not be misunderstood. I am not for a moment questioning the patriotism of the vast majority of those citizens who took part in the October 15 program. They are well meaning and, like all of us, are weary of the war. None of us, of course, want to see the conflict continued a single day longer than is absolutely necessary and I am keenly

aware that most of those persons who saw fit to protest the war—for the most part, in a careful, nonviolent manner—should be saddened and perplexed by this turn of events.

Further, it is most discouraging that many sincere people, apparently because they are so weary with the war, are placing wholly unreasonable demands upon the President which, if he even tried to meet, would surely not serve the best long-range interests of our country.

The significance and influence of our strength has been in the believability that can be ascribed to our stated purposes in Vietnam.

These include the fact that we seek no permanent bases in Vietnam and no military ties. We are willing to agree to neutrality for South Vietnam if that is what the South Vietnamese people freely choose. We believe there should be an opportunity for full participation in the political life of South Vietnam for all political elements that are prepared to do so without the use of force or intimidation. Our Government is prepared to accept any government in South Vietnam that results from the free choice of the South Vietnamese people themselves; we have no intention of imposing any form of government upon the people of South Vietnam, nor will we be a party to such coercion.

As President Nixon has stated:

In pursuing our limited objective, we insist on no rigid diplomatic formula. Peace could be achieved by a formal negotiated settlement. Peace could be achieved by an informal understanding, provided that the understanding is clear, and that there were adequate assurances that it would be observed. Peace on paper is not as important as peace in fact.

The President has devoted a great deal of careful study to Vietnam. He wants to be sure that our policies there will best serve America. He has examined the question from every possible viewpoint, and the resulting policies are a considered judgment born of long study.

I am convinced that our country's policy in Vietnam represents a most serious effort to serve the long-range best interest of all of our people. It is obvious that the protest and demonstration did not present any new evidence. It is also obvious that the moratorium people, no matter how sincere, reduce the question of U.S. involvement in Vietnam to the simplest terms and repeatedly "demand" the unilateral withdrawal of all U.S. troops.

Simply to be the strongest nation militarily in the world does not guarantee that our influence for peace and justice will always follow in corresponding degree. As the protestors should know, we have ruled out any attempt to impose a purely military solution on the battlefield. But we have also ruled out either a one-sided withdrawal from Vietnam or the acceptance in Paris of terms that would amount to a disguised American defeat.

As President Nixon has pointed out:

When we assumed the burden of helping to defend South Viet Nam, millions of South Vietnamese men, women, and children placed their trust in us. To abandon them now

would risk a massacre that would shock and dismay everyone in the world who values human life.

There is a very real danger involved here. A precipitate abandonment of our peacekeeping pledges there and our peaceful goals throughout the world would jeopardize more than the lives of the South Vietnamese.

We must not renege on our pledges. We must be worthy of our trust as a great nation. We must continue a realistic policy that offers the best chance of assuring a livable world for our children's children in an atmosphere of freedom that is devoid of fear.

Along with our country's considerable military might, which is the strength, must be the desire to stand by our word, which is the will.

To allow either to be seriously weakened will cause our influence to vanish. And such a thing, if ever allowed to happen, would mean that the worldwide respect for our Nation's integrity, our long history of defending principle and resolutely meeting obligations, would be lost.

Other nations' confidence in our reliability would be forever gone.

A sudden abandonment of our effort in Vietnam, no matter how seemingly desirable, no matter how sought after by so many, would greatly enlarge the possibilities of future involvement in other places. That is so because it would give encouragement to a number of ruthless leaders throughout the world who could take comfort from Hanoi's success and would be more than willing to risk a reckless confrontation with the United States.

Such a move would bring our integrity into serious question; our prestige would be severely damaged; our influence would be dangerously diminished throughout the world; and, worst of all, we would be forced to demonstrate our convictions and beliefs by the active use of arms. This would be an intolerable situation.

What I am saying—and what some of the demonstrators do not seem to understand—is that not only must we be strong, but people everywhere must believe us.

That is why a surrender in Vietnam should remain unthinkable. That is why the President must continue, steadfastly, to pursue his realistic policies in Vietnam, no matter how unpopular they seem to be.

Mr. President, because they shed light on this question, I ask unanimous consent that the comments of Jack Anderson, referred to earlier, and an editorial from the San Diego Union entitled, "Truth Must Rise Above Clamor," be inserted at this point in the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Oct. 15, 1969]

#### U.S. REVOLUTIONARIES LINKED TO HANOI

(By Jack Anderson)

TOKYO.—For the millions at home who will demonstrate against the Vietnam war today, the intelligence files here contain some facts worth pondering.

This column has examined documentary evidence that a few rabid revolutionaries who

seek to dominate the anti-war movement in the United States are receiving instructions from Hanoi. They aren't against war at all; they merely are on the enemy's side.

Indeed, their aim is to stir up new "wars of liberation," including guerrilla warfare in the streets of America, to advance the Communist cause. Their immediate instructions are to agitate in the United States for an unconditional withdrawal from Vietnam.

In retrospect, I believe it was a mistake for the U.S. to plunge into the Vietnam conflagration. This remote patch of jungle simply hasn't been worth the price in American blood and treasure.

But those who are in a big rush to write off 38,887 American war dead and \$81,407,000,000 of the taxpayers' money should consider the French experience. The French pull-out of North Vietnam 15 years ago precipitated a Communist slaughter that hadn't been duplicated since the mad days of Adolph Hitler.

Too hasty abandonment of South Vietnam likewise might produce another bloodbath. Yet the Hanoi-directed militants, according to intelligence documents, are striving to turn the antiwar protest into a national demand for "quick and complete withdrawal of U.S. troops from South Vietnam."

Possibly to avoid treason charges, the American militants are not in direct touch with the Hanoi government. Most contacts, apparently, have been kept on a friend-to-friend or organization-to-organization basis.

The Hanoi-controlled South Vietnam Liberation Students' Union, for example, maintains an underground liaison with U.S. leaders of the Students for a Democratic Society and the Students' Committee for the End of the Vietnam War.

On the eve of the Vietnam Moratorium, Tran Buu Kiem, the Students' Union chairman and former chief Vietcong delegate in Paris, wrote a letter to his American disciples urging "the active and massive participation of the American youths and students in this fall struggle movement."

#### HANOI LETTER

The letter, dated Oct. 6, called for a prompt American pull-out from Vietnam. Kiem contended that "the replacement of a score of thousands of troops is insignificant, as compared with about half a million U.S. youths still remaining in South Vietnam."

"Your interests and those of the American people and the United States do not lie in such a drop-by-drop troop pullout, but in the quick and complete withdrawal of U.S. troops from South Vietnam; not in the Vietnamization or de-Americanization of the war in South Vietnam, which is unpopular and costly in human and material resources, but in ending it..."

"If Mr. Nixon sincerely wants to live up to his promise to end the war, a promise which he made when he ran for office and when he took over the presidency," the Kiem letter continued, "there is no other way than to respond to the 10-point solution of the Republic of South Vietnam's provisional revolutionary government by quickly withdrawing all U.S. and satellite troops from South Vietnam without imposing any conditions and by abandoning the lackey Thieu-Ky-Khiem administration, leaving the South Vietnamese people to decide their own internal affairs."

"You are entering a new, seething and violent struggle phase. We hope that you all will pool your efforts in achieving great success in this fall struggle phase."

#### INTELLIGENCE REPORT

Another intelligence document, made available to this column, casts a revealing light on the North Korean role in stirring up opposition to the constitutional amendment, which will determine the future of South Korea. A national referendum will be

held Friday to determine whether South Korea's bantam President Chung Hee Park can run for a third term.

"In connection with the constitutional amendment," declares the intelligence analysis, "the Pyongyang regime is trying to arouse popular views adverse to the constitutional amendment in an effort to create political chaos in the Republic of Korea. The Pyongyang regime is concentrating all efforts on its psychological warfare to encourage the recalcitrant elements in the South."

The attempt to extend President Park's rule for another term has been described, even in the Western press, as undemocratic. The truth is that the Park government has adhered scrupulously to the democratic processes.

Once the referendum is decided by popular vote on Friday, South Korea's troubles may merely be beginning. The intelligence document estimates that North Korea will intensify its efforts to subvert South Korea next year, thus "taking advantage of the possible political chaos in the ROK during the 1971 election."

[From the San Diego (Calif.) Union, Oct. 9, 1969]

#### VIETNAM SURRENDER UNTHINKABLE—TRUTH MUST RISE ABOVE CLAMOR

Again there is a strong riptide of activity in the United States of America which seeks to induce President Nixon simply to abandon South Vietnam.

The riptide is visible in Congress where, individually and in small groups, legislators are urging a condemnation of the American commitment in Southeast Asia.

The riptide is also visible in the national agitation—professional or naive—for a demonstration Oct. 15 to force President Nixon to make a more firm but generally undefined commitment to retreat.

Amid the clamor of the claque, there are some things that are evident and even more that are not—things that Americans would do well to keep in mind as they try to distill some truth from the confusion.

The first is that whatever the mistakes of the past, the United States cannot roll back the calendar in South Vietnam. We have to deal with the war on the basis of the present realities.

And we must, in seeking the truth, challenge the depth of thinking as well as the credentials of the experts, be they self-styled or real.

It is a truth and a reality that the United States is diminishing its Vietnam commitment at a rate deemed prudent by the person upon whose shoulders falls the responsibility for making the awesome judgment—the President of the United States.

What exactly do the critics of our current actions want? More rapid withdrawal? How rapid? Is open retreat their real object?

Do the critics of the war know whether it is possible to move our men home from Vietnam more rapidly simply from the standpoint of logistics?

Would those who favor pell-mell withdrawal be willing to endorse the inevitable bloodbath in Southeast Asia that such a retreat would create?

Are those who urge our surrender in Vietnam prepared to accept the responsibility for its effect upon the hundreds of our young men being held prisoners by North Vietnam? Several already have been executed and Hanoi says it may "try" the remainder as war criminals.

Is the Greek chorus baying at the heels of the President prepared to face the worldwide implications of a United States' surrender?

The fact is they advocate nothing but the negative—get out. Has anybody heard acceptable positive programs from these self-style experts to preserve the seedling of self

determination in Vietnam and prevent the writing of an ignominious, bloody chapter in our history?

We have not heard them.

All that we have heard so far is that if we vaporize the American presence in Vietnam immediately, somehow everything will turn out all right despite the obvious and imminent dangers. It will not.

Americans should view with suspicion the thought that there is an instant solution in instant surrender.

#### MORATORIUM

Mr. DOLE. Mr. President, let me commend the Senator from Wyoming (Mr. HANSEN). I certainly share the views he has expressed. Let me say, additionally, that the first Vietnam moratorium is over. The Nation moves on and President Nixon continues to pursue the difficult road to an honorable peace.

Nothing really has changed and hopefully the North Vietnamese and the Vietcong have not been heartened by signs of divisiveness in our land, plus the fact they were aided yesterday by another estimated billion-dollar agreement for military aid from Communist Russia.

Today, I wonder, Mr. President, if any American President, Kennedy, Johnson, or Nixon, backed by a united people might not already have secured peace in Vietnam.

That is, perhaps, a terrible thought, because, if true, then many young Americans, now dead, would be alive and home today.

One of those might have been Edgar L. McWethy, Jr., of Baxter Springs, Kans. Instead he died bravely fighting, as Americans have always fought, in the cause of honor and freedom. Today his parents received, in his name, at a White House ceremony, the Nation's highest award, the Medal of Honor. They would give that medal willingly if peace could be brought a day nearer.

Specialist McWethy is one of three young Americans who received posthumous Medals of Honor from the President today.

Can anyone here say the President can make these presentations without a deep yearning for peace?

But, Mr. President, he has on his shoulders not only the bringing of peace, but also the larger burden. Those who call for peace at any price can do so, because the responsibility is not theirs.

Only the President bears the responsibility. If we surrender and retreat in Vietnam, only to face renewed, reinvigorated Communist aggression elsewhere, who will take the blame?

If the United States surrenders and retreats in Vietnam and the Communists take over that country, as surely they will, and institute a massive purge, as surely they will, who will take the blame?

If the United States surrenders and retreats in South Vietnam, and the free world, knowing it can no longer depend on the word and the strength of the United States, bows to totalitarian communism, who will take the blame?

Mr. President, those who planned this moratorium are planning another next month. However, before this, the Presi-



ident has scheduled a report to the people on our situation in Vietnam.

I have no inside information on what he will say. But I do know he can point with pride to what has already been accomplished by this administration—60,000 men to be home by the first of the year. That is a significant number. To those who say it is not, ask what they would have said if President Nixon had added 60,000 troops.

A major drop in casualty rates—for the last 3 weeks, they have dropped below 100. Nobody knows better than the President that any casualty, even one, is too many. But, Mr. President, those Americans who die are being killed by enemies who by their own statements say they receive encouragement from Americans who are far from the battlelines.

Of course, we have no guarantee that the enemy will not launch a sudden offensive with a resultant climb in the casualties, but still, it is worth noting that at no time last year did our casualty figures drop below 100. Mr. President, can anyone here say the President has not reduced the level of combat?

Mr. President, as I have said, I do not know what the President will say on November 3. But I am confident that I know what he is doing; he is working for peace with all his heart and all his might.

Those in this country who possibly prolong the war, also in the name of peace, might at least bear that in mind—if they are sincere.

Let me add one personal word. Yesterday was a significant day in America for many. As the Senator from Wyoming has pointed out, the great majority who participated were probably sincere young Americans. They were against the war, as is everyone in this body.

My participation in moratorium day was a visit to Walter Reed Hospital last night, where I visited some 50 or 60 young Americans who had been injured or wounded while serving their country.

I would suggest that if anyone had cause or justification for being prejudiced or bitter about the war in Vietnam, these young men have—some with one arm gone, some with two arms gone, some with three limbs gone, and some with very serious neurological or other disabilities, many of whom will never be the same.

Almost without exception, they seemed to indicate two things. First, they felt the war was right, not because they had been there, not because they had been wounded, but because they felt communism was a threat to us and the free world.

One young man who said, "I was opposed to the war when I went, and am opposed now, but we cannot pull out immediately."

My point is that here are 800 young men, patients in Walter Reed Hospital because of Vietnam who have just cause to be bitter; but, having visited some 60 or 70 of them with the Senator from Michigan (Mr. GRIFFIN), these young Americans have made a great sacrifice for their country and understand what this is all about. They will bear the scars of it permanently, yet almost without exception they have confidence in other young Americans. They believe the great majority of young Americans want peace.

Mr. President, with a few possible exceptions, all the young men I visited with felt President Nixon is on the right course, and that he is pursuing the path of peace.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. DOLE. I yield.

Mr. HRUSKA. Mr. President, I associate myself with the remarks of the Senator from Kansas, and with the views he has expressed. I was especially impressed with his statement about visiting some of the wounded veterans in Walter Reed Hospital. There was a day, Mr. President, when the Senator from Kansas was also a wounded combat veteran. He, too, was among those severely and painfully wounded, with permanent effects, and it took weeks and months in the hospital for him to recover from his injuries. The weeks and months he spent in convalescence gave him time to ponder upon the meaning of the type of experience which he had gone through. So when he gives us the appraisal he has given of those young men in Walter Reed Hospital, it comes from one who is very well qualified to make it.

I commend him for the remarks he has made, and certainly commend his remarks to the attention of all who should give this subject the same type of thoughtful analysis and consideration he has given it.

#### AUTHORIZATION FOR ALL COMMITTEES TO FILE REPORTS, TOGETHER WITH MINORITY AND INDIVIDUAL AND SUPPLEMENTAL VIEWS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be permitted to file reports, together with minority and individual and supplemental views, during the period of adjournment between tonight and Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PEACE CORPS ACT AMENDMENTS—CONFERENCE REPORT

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Arkansas (Mr. FULBRIGHT), I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11039) to amend further the Peace Corps Act (75 Stat. 612), as amended. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of October 14, 1969, p. 29937, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD of West Virginia. Mr. President, I am authorized by the able Senator from Arkansas (Mr. FULBRIGHT) to

state that the principal difference between the House and the Senate in the Peace Corps authorization was the amount authorized for expenditure and this was set by the conferees at \$98,450,000 for fiscal year 1970—a figure half way between the \$95,800,000 in the Senate amendment and the \$101,100,000 in the House bill.

The only other differences—besides technical drafting changes—were: First, the funding of the volunteers-to-America program from Peace Corps appropriations which the Senate authorized but the House prohibited, and second, the addition of a new purpose by the Senate to encourage international programs of voluntary service.

On the first item, the Senate conferees receded with some reluctance in view of other priorities on our resources. On the second item, the House conferees receded with a minor change in language which will permit the Peace Corps to explore international cooperation in voluntary work through establishing an international register of volunteers from which multinational teams of volunteers may be drawn by countries which prefer international programs to bilateral ones. What the Committee on Foreign Relations wanted was to add a new dimension to the Peace Corps work and the conference agreement permits this.

Mr. President, on behalf of the Senator from Arkansas (Mr. FULBRIGHT), I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

#### INSTRUCTIONS FROM HANOI ON THE ANTIWAR MOVEMENT IN THE UNITED STATES

Mr. BYRD of West Virginia. Mr. President, syndicated columnist Jack Anderson reported on Tuesday, October 14, in the *Beckley, W. Va., Post-Herald*, that—

A few rabid revolutionaries who seek to dominate the anti-war movement in the United States are receiving instructions from Hanoi.

The column appeared in newspapers from coast to coast.

I ask unanimous consent that the column be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

RABID REVOLUTIONARIES MAY BE RECEIVING DEMONSTRATION ORDERS DIRECT FROM HANOI  
(By Jack Anderson)

TOKYO.—For the millions at home who will demonstrate against the Vietnam war tomorrow, the intelligence files here contain some facts worth pondering.

This column has examined documentary evidence that a few rabid revolutionaries who seek to dominate the anti-war movement in the United States are receiving instructions from Hanoi. They aren't against war at all; they merely are on the enemy's side.

Indeed, their aim is to stir up new "wars of liberation," including guerrilla warfare in the streets of America, to advance the Communist cause. Their immediate instructions are to agitate in the United States for an unconditional withdrawal from Vietnam.

In retrospect, I believe it was a mistake for the U.S. to plunge into the Vietnam conflagration. This remote patch of jungle simply

hasn't been worth the price in American blood and treasure.

But those who are in a big rush to write off 38,887 American war dead and \$81,407,000,000 of the taxpayers' money should consider the French experience. The French pull-out of North Vietnam 15 years ago precipitated a Communist slaughter that hadn't been duplicated since the mad days of Adolf Hitler.

Too hasty abandonment of South Vietnam, likewise, might produce another bloodbath.

Yet the Hanoi-directed militants, according to intelligence documents, are striving to turn the anti-war protest into a national demand for "quick and complete withdrawal of U.S. troops from South Vietnam."

Possibly to avoid treason charges, the American militants are not in direct touch with the Hanoi government. Most contacts, apparently, have been kept on a friend-to-friend or organization-to-organization basis.

The Hanoi-controlled South Vietnam Liberation Students' Union, for example, maintains an underground liaison with U.S. leaders of the Students for a Democratic Society (SDS) and the Students' Committee for the End of the Vietnam War.

On the eve of the Vietnam moratorium, Tran Buu Kiem, the Students' Union chairman and former chief Viet Cong delegate in Paris, wrote a letter to his American disciples urging "the active and massive participation of the American youth and students in this fall struggle movement."

The letter, dated Oct. 6, called for a prompt American pull-out from Vietnam. Kiem contended that "the replacement of a score of thousands of troops is insignificant, as compared with about half a million U.S. youths still remaining in South Vietnam."

"Your interests and those of the American people and the United States do not lie in such a drop-by-drop troop pull-out, but in the quick and complete withdrawal of U.S.

troops from South Vietnam; not in the Vietnamization or de-Americanization of the war in South Vietnam, which is unpopular and costly in human and material resources, but in ending it. . . .

"If Mr. Nixon sincerely wants to live up to his promise to end the war, a promise which he made when he ran for office and when he took over the presidency," the Kiem letter continued, "there is no other way than to respond to the 10-point solution of the Republic of South Vietnam's provisional revolutionary government by quickly withdrawing all U.S. and satellite troops from South Vietnam without imposing any conditions and by abandoning the lackey Thieu-Ky-Khiem administration, leaving the South Vietnamese people to decide their own internal affairs."

"You are entering a new, seething and violent struggle phase. We hope that you all will pool your efforts in achieving great success in this fall struggle phase."

Ironically, most of the student radicals who are doing Hanoi's bidding in the U.S. would get worse treatment from the Hanoi police than they have received from the Chicago police.

For Hanoi has ordered a crackdown on local hippies who wear long hair, tight pants and flowered shirts. Hanoi police have been ordered to shear off long hair and slit tight trousers legs on the spot. Tight "cowboy pants" have been abolished by decree. Western records, poetry, and dances also are considered "counter revolutionary" and result in stern punishment.

As for unauthorized demonstrations, the youthful demonstrators not only would get their heads clubbed; they would be subject to the death penalty.

Another intelligence document, made available to this column, casts a revealing light on the North Korean role in stirring up opposition to the constitutional amend-

ment which will determine the future of South Korea. A national referendum will be held Friday to determine whether South Korea's bantam President Chung Hee Park can run for a third term.

"In connection with the constitutional amendment," declares the intelligence analysis, "the Pyongyang regime is trying to arouse popular views adverse to the constitutional amendment in an effort to create political chaos in the Republic of Korea. The Pyongyang regime is concentrating all efforts on its psychological warfare to encourage the recalcitrant elements in the South."

The attempt to extend President Park's rule for another term has been described, even in the western press, as undemocratic. The truth is that the Park government has adhered scrupulously to the democratic processes.

Once the referendum is decided by popular vote on Friday, South Korea's troubles may merely be beginning. The intelligence document estimates that North Korea will intensify its efforts to subvert South Korea next year, thus "taking advantage of the possible political chaos in the ROK during the 1971 election."

#### ADJOURNMENT TO MONDAY, OCTOBER 20, 1969

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 54 minutes p.m.) the Senate adjourned until Monday, October 20, 1969, at 12 o'clock noon.

## HOUSE OF REPRESENTATIVES—Thursday, October 16, 1969

The House met at 12 o'clock noon.

Rev. Roger E. Landgrebe, Calvary Lutheran Church, Gary, Ind., offered the following prayer:

Unto You, O God, do we lift up our hearts in thanksgiving for the joy of life in the world which You have given us to dominate and subdue. The whole creation is Yours; but we seek Your help as we attempt to govern it and establish the welfare of our portion of its people.

We boldly request, yet humbly demand, Your presence here. Consume the minds of the men and women in this high Chamber so that the work they do here will be an instrument of Your law and a reflection of Your love. The opportunity is here, O Lord, to see You in a mirror dimly and also to effect wisely our confrontation with You face to face. O God, let it happen. Amen.

#### THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2910. An act to amend Public Law 89-260 to authorize additional funds for the Library of Congress James Madison Memorial Building.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12781) entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 15, 16, 20, 24, 35, 40 to the foregoing bill.

#### REV. ROGER E. LANDGREBE

(Mr. MADDEN asked and was given permission to address the House for 1 minute.)

Mr. MADDEN. Mr. Speaker, the House of Representatives is honored today to have one of the youngest ministers in the State of Indiana offer the opening prayer.

Mr. Speaker, Rev. Roger Landgrebe's ministry is located in my congressional district. The Reverend Roger E. Landgrebe is the youngest son of our distinguished colleague, the gentleman from

Indiana, Mr. EARL LANDGREBE of the Second Congressional District of Indiana.

Although having entered the ministry but 3 years ago and having come to the city of Gary as the pastor of the Calvary Lutheran Church, he is known throughout the Calumet region for the outstanding work he is doing not only for his parishioners as a minister of the Calvary Lutheran Church but also for many charitable and civic activities.

He has participated along with various groups and organizations to help and aid not only some of the more economically unfortunate citizens of our community, but he has taken an active part in various drives for funds to support causes and programs which are highly necessary for the progress and general welfare of our younger folks in the Calumet region of Indiana. Unfortunately more of our young citizens have not emulated his career in church and religious work in which Reverend Landgrebe has been so successful. His civic and charitable work has been a great benefit to all our citizens.

Mr. Speaker, I wish to thank the Reverend Roger E. Landgrebe for being with us today and also to commend his father, our colleague, Congressman LANDGREBE, for the great work and success of his son as a minister and outstanding citizen in my congressional district.

Mr. LANDGREBE. Mr. Speaker, will the gentleman yield?